

# Web tracking technologies

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# About me

- › PhD student at DistriNet, KU Leuven
- › Background in CS
- › LLM in IT law
- › Research interests:
  - Online tracking
  - Privacy attacks and data leaks
  - Privacy and data protection law



**“If you’re not paying for the product,  
then you are the product.”**



# How Target Figured Out A Teen Girl Was Pregnant Before Her Father Did

<https://www.forbes.com/sites/kashmirhill/2012/02/16/how-target-figured-out-a-teen-girl-was-pregnant-before-her-father-did/>





# Smart billboards

- › Based on cell data
- › Age
- › Gender
- › Race
- › Credit scores
- › Lifestyle preference



<https://www.theverge.com/2020/8/10/21361734/clear-channel-billboards-privacy-ad-tracking-europe>

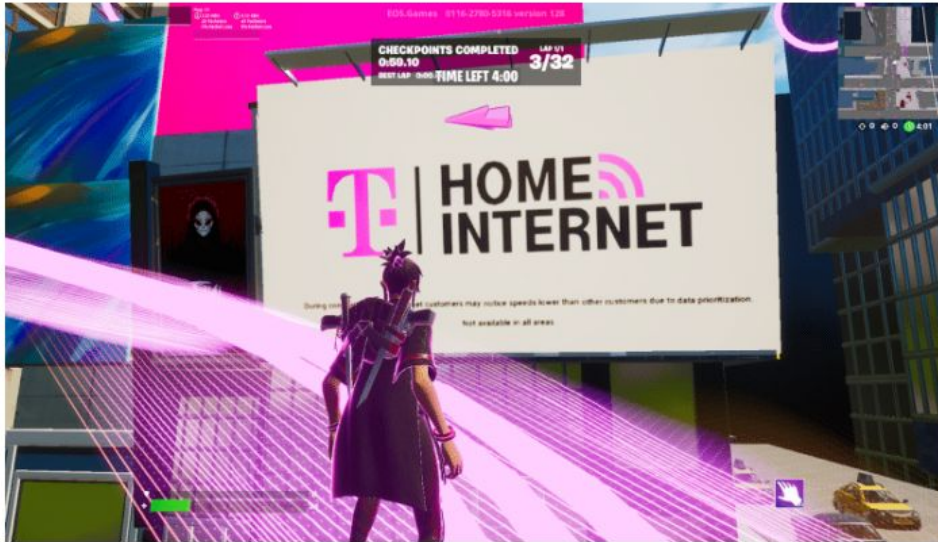


# In-game targeted advertisement

## FORTNITE IN-GAME ADVERTISING. HOW DOES IT WORK?

By Pesach Lattin - 2023-01-27

875 0



Source: <https://www.bidstack.com/discover-in-game-advertising/>

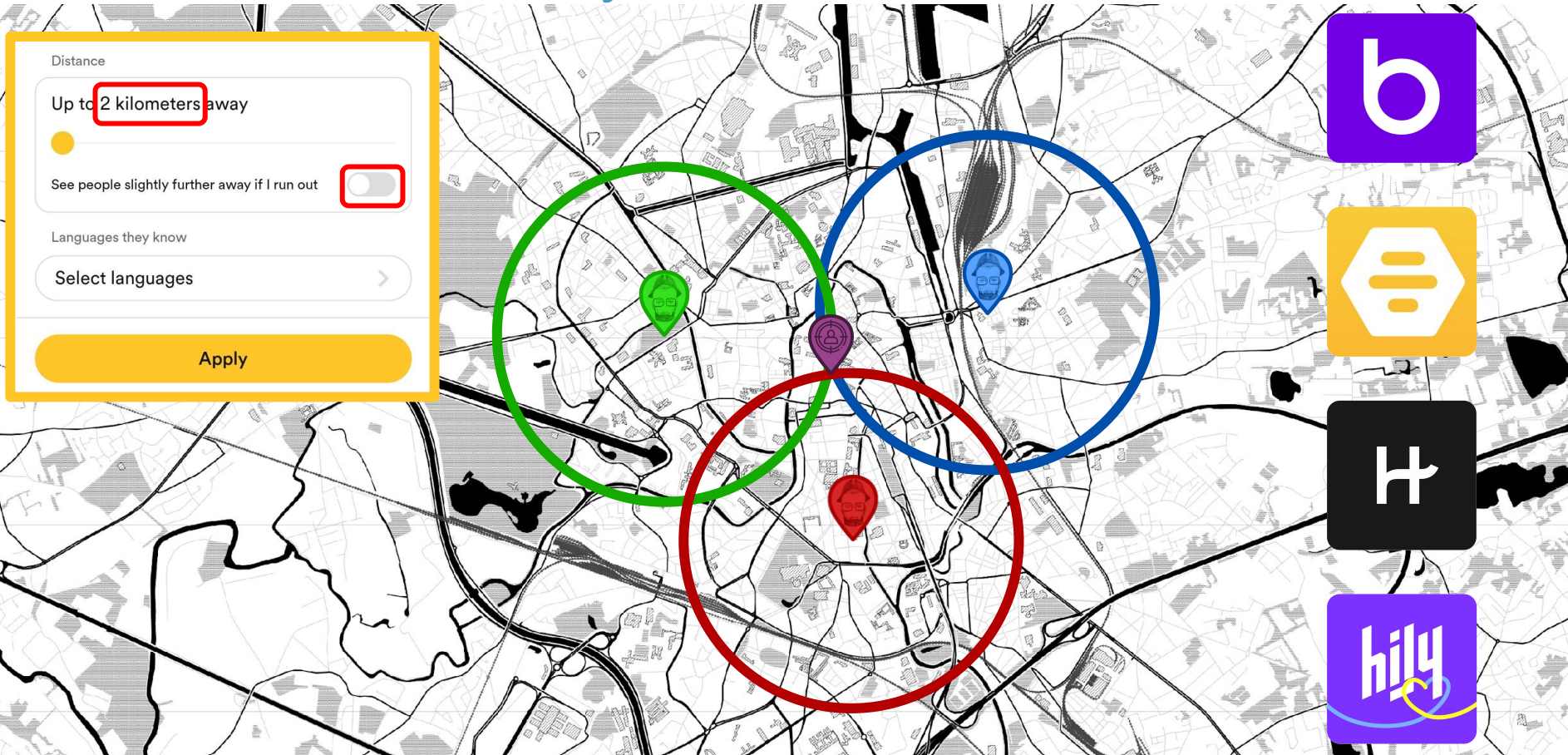


## Dating apps tighten security after Leuven University study reveals data leaks

A study by Leuven University (KUL) has revealed that on the 15 most popular dating apps, including Tinder and Grindr users' personal data is often too easily accessible to third parties. This means that, for example, criminals can use the apps to locate potential victims. Since the study was published most apps have taken measures to plug the leaks. Nevertheless, those that carried out the study still advise users to be on their guard and provide tips to ensure privacy.



# Trilateration: Proximity Oracle





# Adversaries can have diverse **malicious intentions**

**NEWS**

**A quick scan of your dating profile could provide a scammer with exactly what they want. Here's how to keep your personal details safe**

**yahoo!news**

**Rape, stalking and blackmail: the dark side of dating apps revealed**

 **INDEPENDENT**

News > World > Middle East

**Egypt police 'using dating apps' to find and imprison LGBT+ people**



# Risks

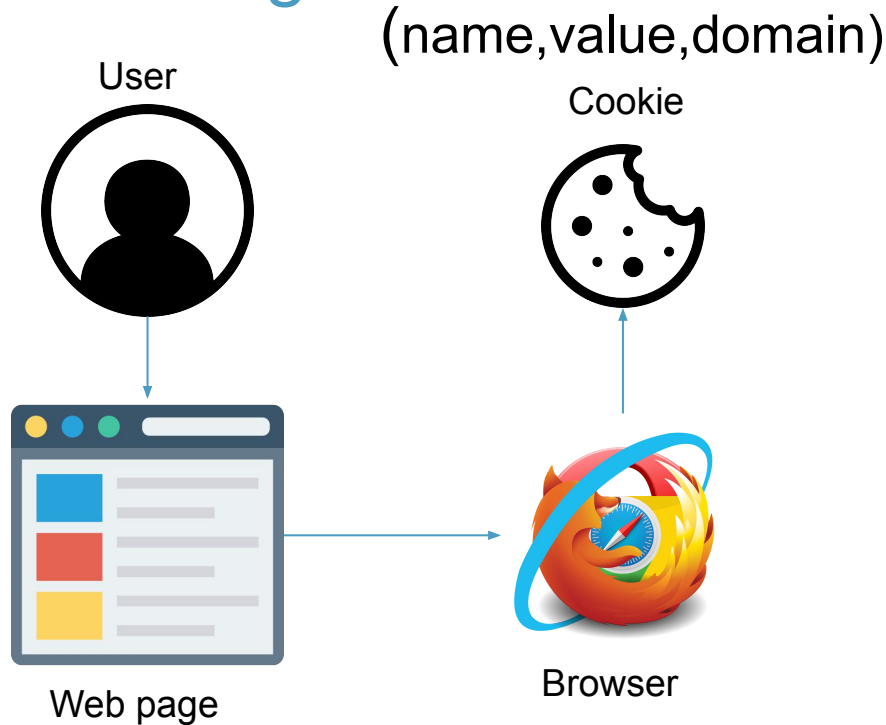
- › Discrimination
- › Mass surveillance
- › Exploitation
- › Manipulation
- › Security e.g., impersonation, identity theft



# Web tracking methods



# Online tracking



## › Session cookies

- Essential
- First-party
- Provide functionality

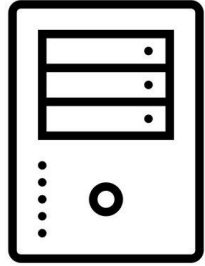
## › Tracking cookies

- Unique identifier
- Can be first-party of third-party

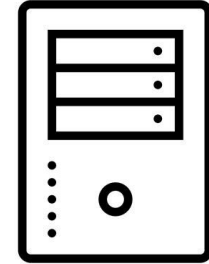


# Third-party tracking

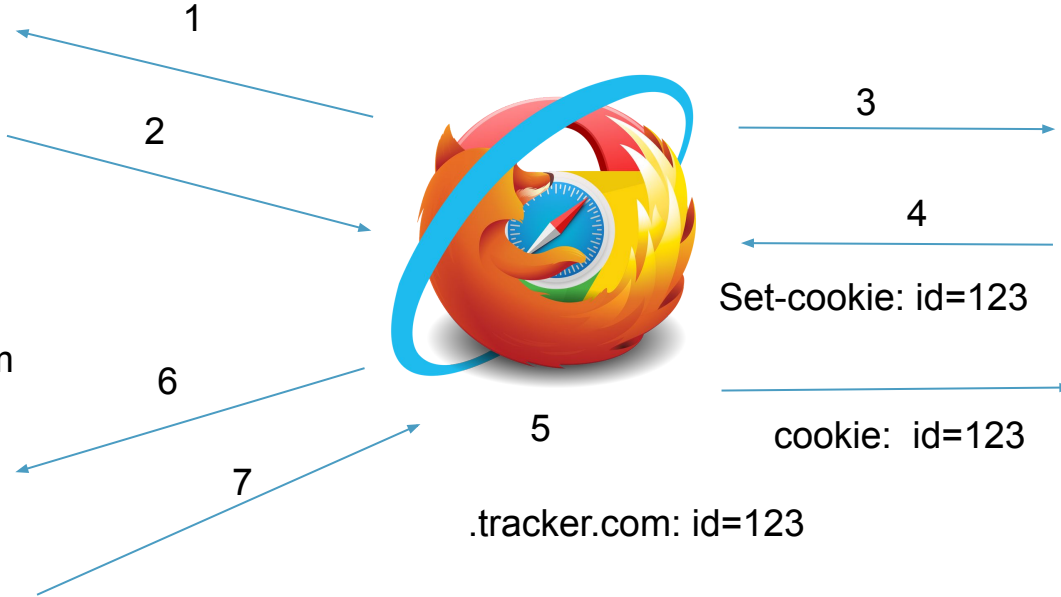
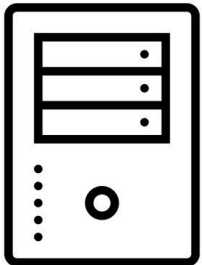
www.website1.com



www.tracker.com



www.website2.com





# TRACKERS RANK

Learn about the most frequent trackers on the web



32.1%

Trackers using  
cookies



0.1%

Trackers using  
fingerprinting



1.5MB

average data usage  
by trackers

All



Advertising



Site Analytics



Consent Management



Utilities



Hosting



Customer Interaction



Audio/Video Player



Extensions



Misc



Adult Advertising



Social Media

1. Google Tag

41.75% · GOOGLE · ADVERTISING

2. Google Static

34.38% · GOOGLE · HOSTING

3. Google Fonts

19.09% · GOOGLE · HOSTING

4. Google Marketing Platform

16.35% · GOOGLE · ADVERTISING

5. Amazon CloudFront

15.8% · AMAZON · HOSTING

6. Google

14.49% · GOOGLE · ADVERTISING

7. Google APIs

13.84% · GOOGLE · HOSTING

8. Cloudinary

13.83% · HOSTING

9. Google User Content

11.8% · GOOGLE · HOSTING

10. Forter

10.72% · FORTER · UTILITIES

11. Mixpanel

10.56% · MIXPANEL · SITE ANALYTICS

12. YouTube

10.02% · GOOGLE · AUDIO/VIDEO PLAYER

13. Qualtrics

8.77% · QUALTRICS · SITE ANALYTICS

14. Google AdServices

7.12% · GOOGLE · ADVERTISING

15. Facebook

6.99% · META · ADVERTISING

16. Google Analytics

6.98% · GOOGLE · SITE ANALYTICS

17. Google Play Services

6.39% · GOOGLE · HOSTING

18. Google Syndication

6.38% · GOOGLE · ADVERTISING

19. Amazon Advertising

6.26% · AMAZON · ADVERTISING

20. Cloudflare

5.65% · CLOUDFLARE · HOSTING

21. Google Photos

5.32% · GOOGLE · HOSTING

22. OneTrust

5.03% · ONETRUST · CONSENT MANAGE...

23. Cloudflare Insights

4.77% · CLOUDFLARE · SITE ANALYTICS

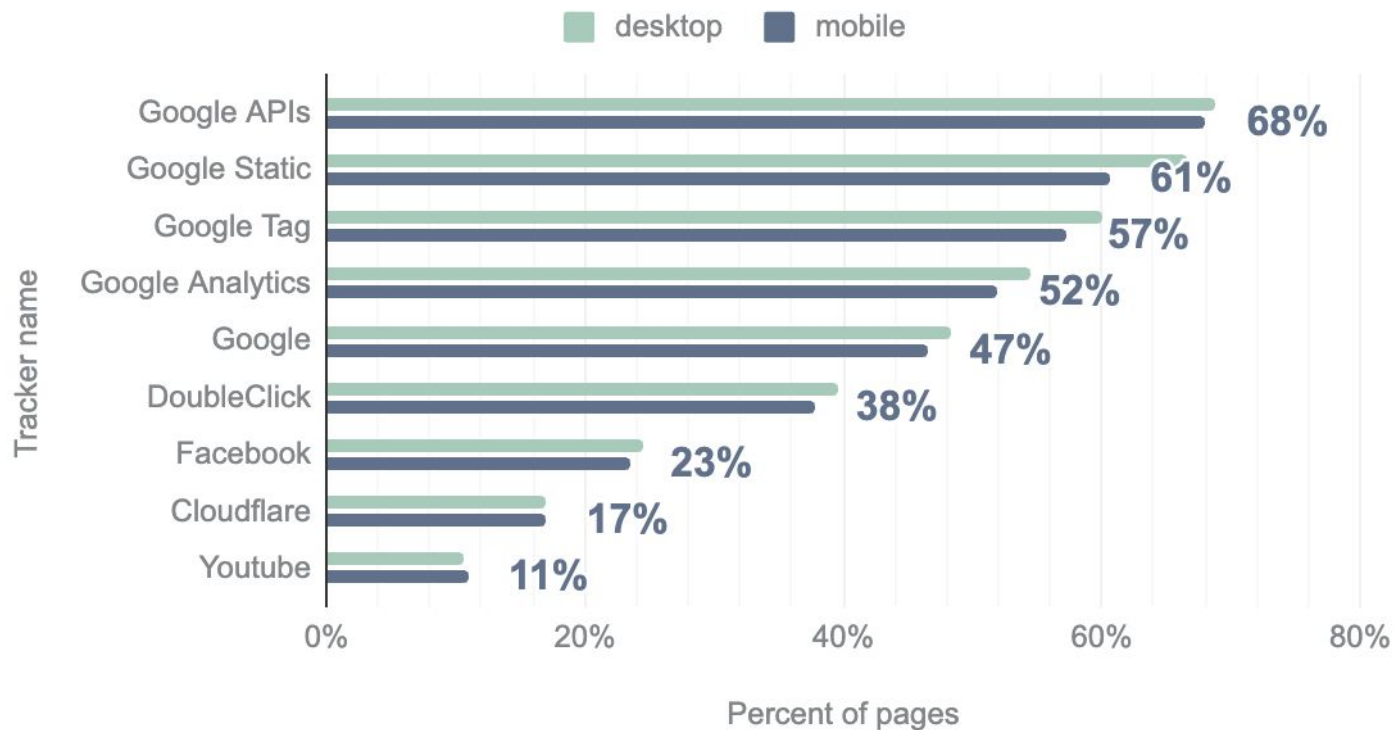
24. jsDelivr

4.31% · HOSTING



# Top whotracks.me trackers

Web Almanac 2024: Privacy





# Google FLOC/ Privacy sandbox - 2019

- › Phase out third-party cookies
- › Federated Learning of Cohorts
  - Group with similar browsing history
  - No individual identification
  - But vulnerable to fingerprinting!<sup>1</sup>
- › Replaced by Topics API<sup>2</sup>

<sup>1</sup><https://www.eff.org/deeplinks/2021/03/googles-floc-terrible-idea>

<sup>2</sup><https://www.theverge.com/2022/1/25/22900567/google-floc-abandon-topics-api-cookies-tracking>

<https://blog.google/products/chrome/building-a-more-private-web/>



# Further development of privacy sandbox

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## A new path for Privacy Sandbox on the web

Share



Jul 22, 2024



# Further development of privacy sandbox

>



## Next steps for Privacy Sandbox and tracking protections in Chrome

Share

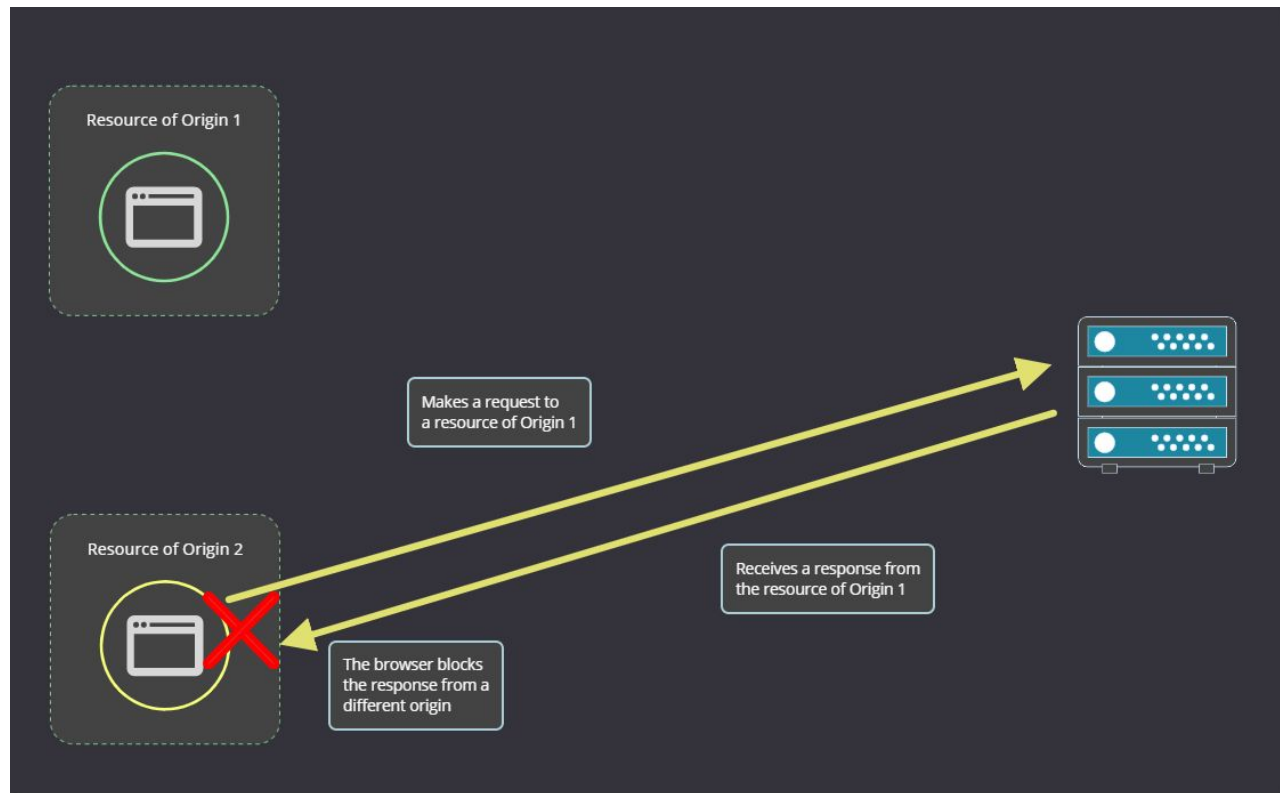


Apr 22, 2025



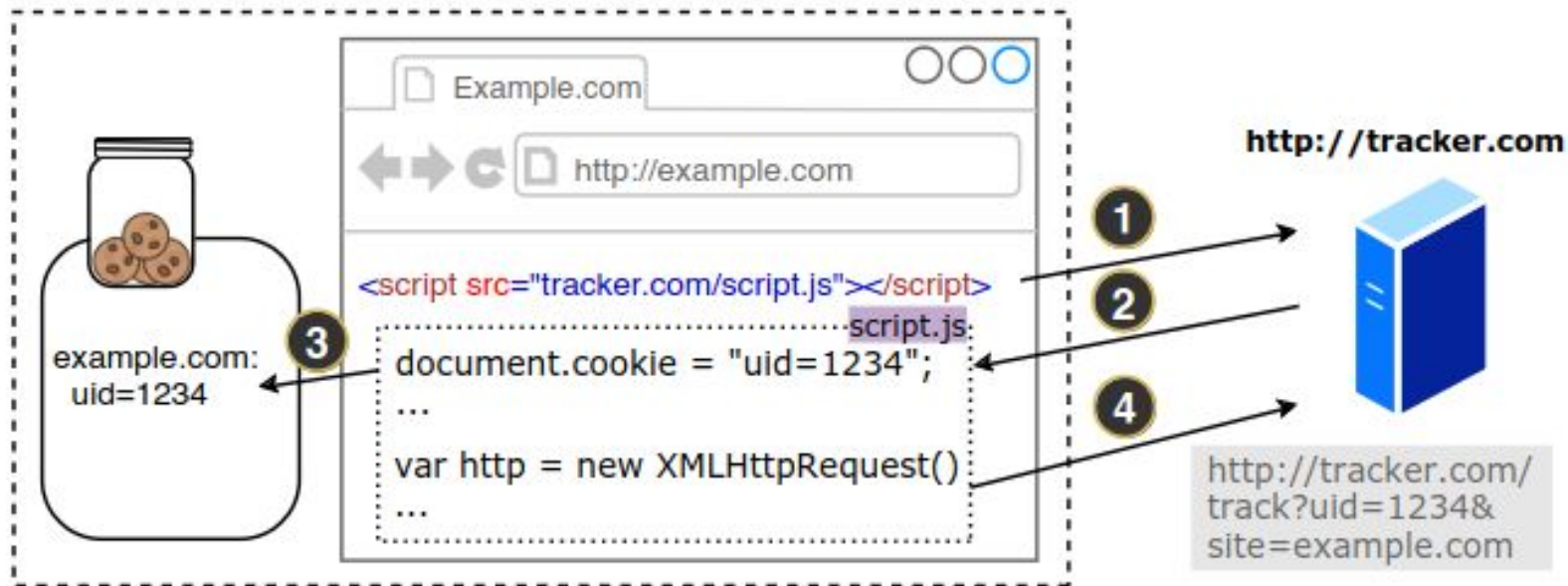
# SOP

- Security measure
- Prevent resource access by third parties
- Limits first-party tracking





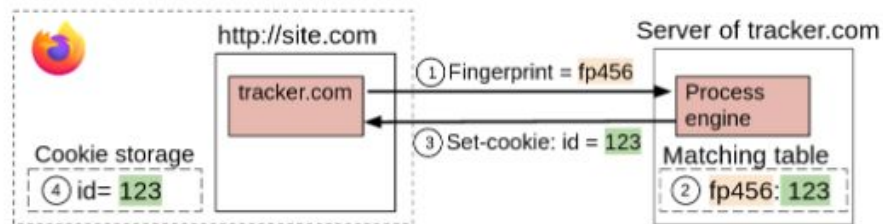
# Tracking with first-party cookies



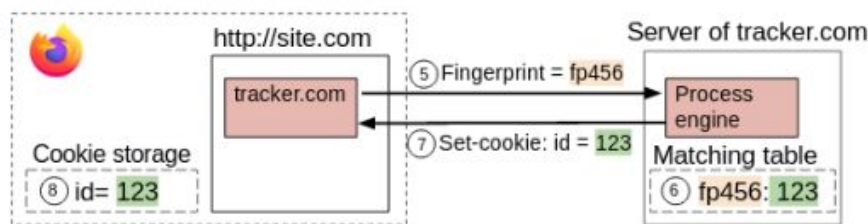
Chen, Quan, et al. "Cookie swap party: Abusing first-party cookies for web tracking."



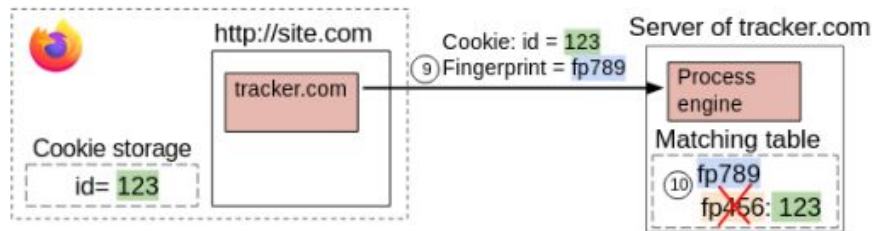
# Cookie Respawning



(a) Initial cookie creation using browser fingerprint



(b) Cookie respawning with browser fingerprinting tacking mechanism

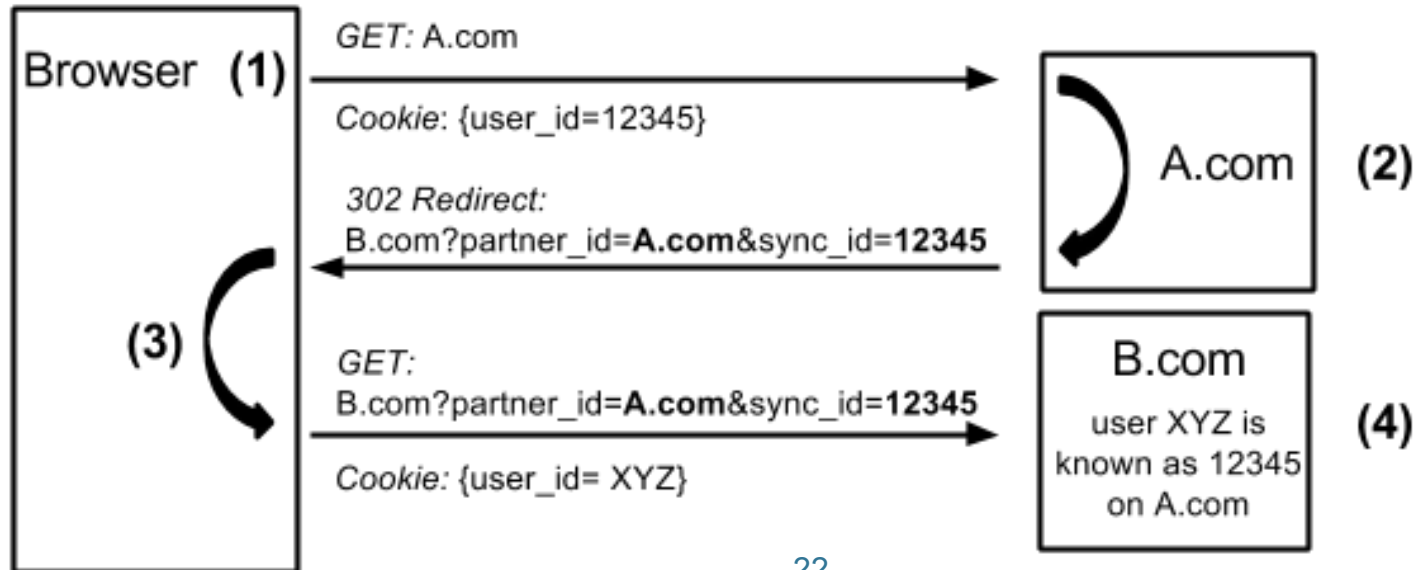


(c) Usage of cookies to ensure fingerprint stability



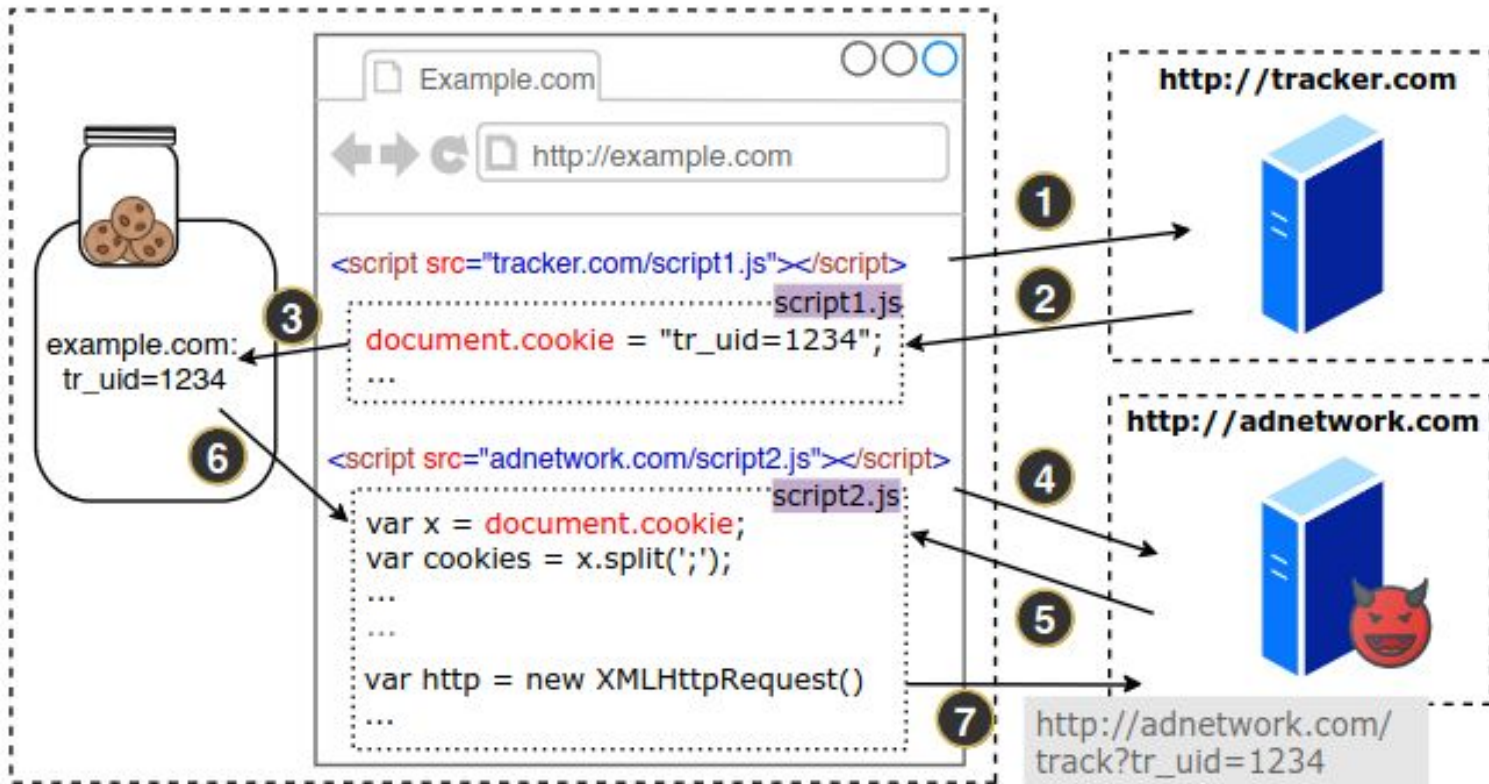
# Cookie syncing

- › Share identifier with other third parties
- › Bypasses SOP





# Tracking with first-party cookies





# Cross-site tracking

- › Stateful vs stateless tracking
- › Mainly: fingerprinting
  - Identification of user based on properties
- › ID-based tracking (PII of the user)
- › No storage => hard to get rid of
- › Technical properties are very hard to spoof
- › Stealthy
- › Different types of fingerprinting



# Browser Fingerprinting

- › User agent, browser plugins, fonts, software versions, JS...
- › 10.18% websites in 2021
- › <https://www.amiunique.org/>



**AM I UNIQUE ?**



Attribute	Similarity ratio	Value
1 - User agent ⓘ	0.03 %	Mozilla/5.0 (X11; Ubuntu; Linux x86_64; rv:109.0) Gecko/20100101 Firefox/113.0
2 - Accept ⓘ	29.20 %	text/html,application/xhtml+xml,application/xml;q=0.9,image/avif,image/webp,*/*;q=0.8
3 - Content encoding ⓘ	96.51 %	gzip, deflate, br
4 - Content language ⓘ	34.49 %	en-US,en;q=0.5
5 - Upgrade Insecure Requests ⓘ	91.16 %	1
6 - Referer ⓘ	1.78 %	https://duckduckgo.com/
7 - Do Not Track ⓘ	28.52 %	1



# MY BROWSER FINGERPRINT

SEE YOUR BROWSER FINGERPRINT PROPERTIES

ARE YOU UNIQUE ?

DOWNLOAD

TIMELINE

TODAY

7 DAYS

15 DAYS

30 DAYS

90 DAYS

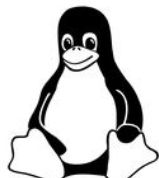
ALL TIME

Yes! You are unique among the 2184042 fingerprints in our entire dataset.

The following informations reveal your OS, browser, browser version as well as your timezone and preferred language. Moreover, we show the proportion of users sharing the same elements.

gnu/linux based

Operating system



27.02 %

firefox

Web browser



42.04 %

en

Language



76.31 %

UTC+01:00

Timezone

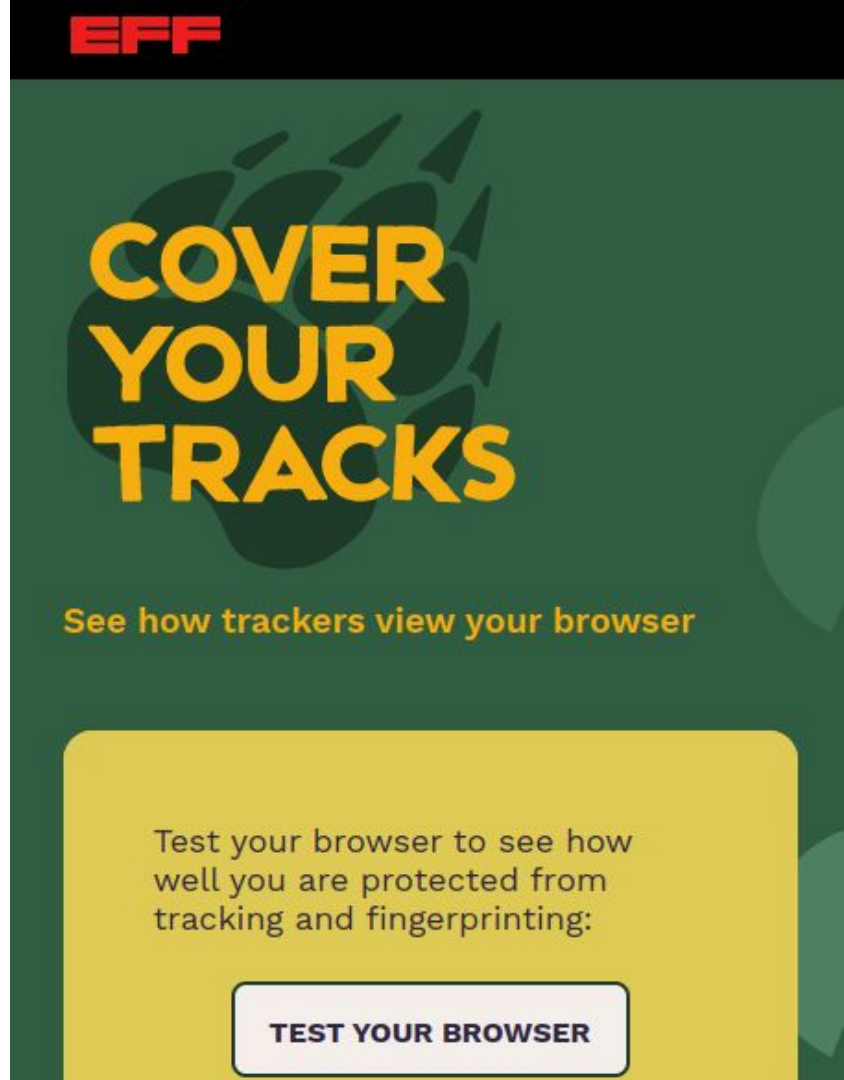


10.74 %









# Panopticlick

- › Sample of 470000 browsers
- › at best only one in 286,777 other browsers will share fingerprint
- › 94.2% exhibited instantaneously unique fingerprints with Java or Flash
- › <https://coveryourtracks.eff.org/>





29 - Permissions 	2.96 %	<p><b>accelerometer</b> : Not supported</p> <p><b>accessibility</b> : Not supported</p> <p><b>ambient-light-sensor</b> : Not supported</p> <p><b>camera</b> : Not supported</p> <p><b>clipboard-read</b> : Not supported</p> <p><b>clipboard-write</b> : Not supported</p> <p><b>geolocation</b> : prompt</p> <p><b>background-sync</b> : Not supported</p> <p><b>magnetometer</b> : Not supported</p> <p><b>microphone</b> : Not supported</p> <p><b>midi</b> : prompt</p> <p><b>notifications</b> : prompt</p> <p><b>payment-handler</b> : Not supported</p> <p><b>persistent-storage</b> : prompt</p> <p><b>push</b> : prompt</p>
6 - Canvas 	0.00 %	<p>Cwm fjordbank glyphs vext quiz, 😊</p> <p>Cwm fjordbank glyphs vext quiz, 😊</p>
7 - List of fonts (JS) 	0.00 %	<p>Aakar</p> <p>Abyssinica SIL</p> <p>Andale Mono</p> <p>Angsana New</p> <p>AngsanaUPC</p> <p>And 153 others</p>
8 - Use of Adblock 	22.37 %	<p>✓</p>
9 - Do Not Track 	24.06 %	<p>✓</p>
10 - Navigator properties 	0.15 %	<p>44 properties detected</p>



# Canvas fingerprinting

- › Invisible
- › Based on graphical properties of the system
  - Canvas, WebGL
- › One sentence is sufficient



# Canvas fingerprinting

Original Image:

How quickly daft jumping zebras vex. (

Linux:

How **quickly** **daft** jumping zebras vex. (

How quickly daft jumping **zebras** vex. (

OSX:

How **quickly** **daft** jumping zebras vex. (

Windows (XP, Vista, 7):

ow e. e<y ea" \_ "o "g /eas vex (

(-low quickl) daft jumpin) zebrae vex. (

(-low quickl) daft jumpin) zebrae vex. (

Windows 8:

ow e. e<y ea" \_ "o "g /eas vex (

## Canvas Fingerprinting

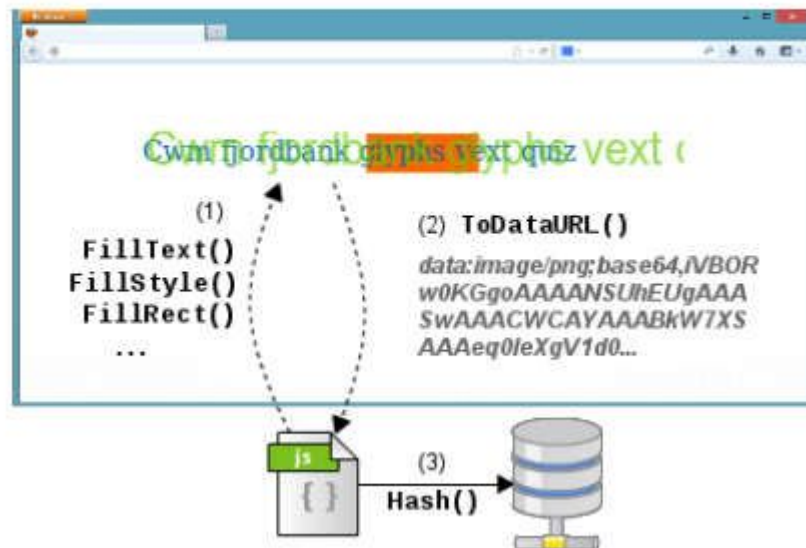
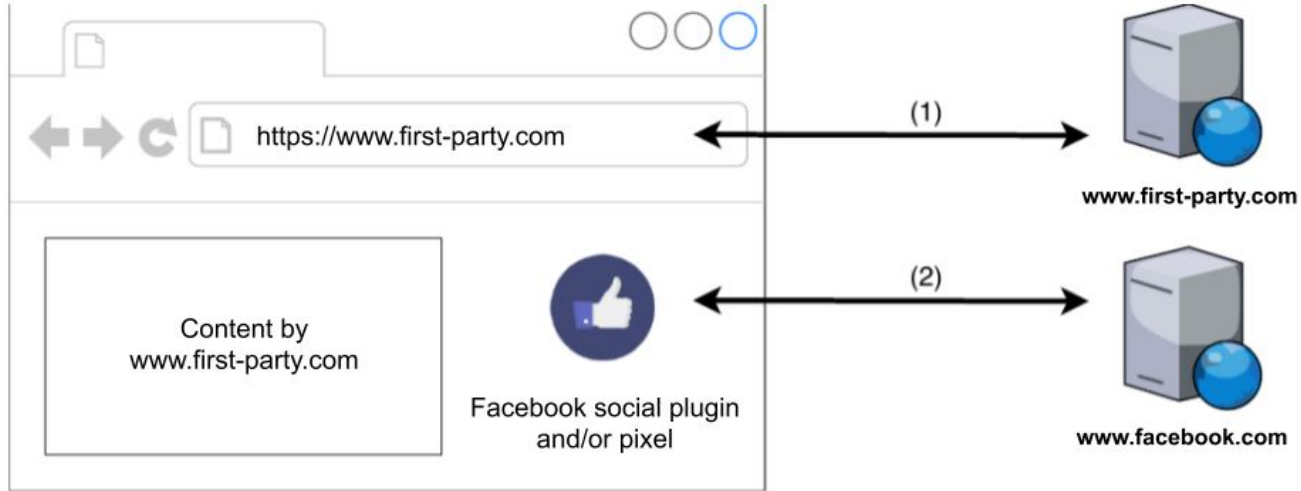


Figure 7: Difference maps for a group on `text_arial`



# Pixels

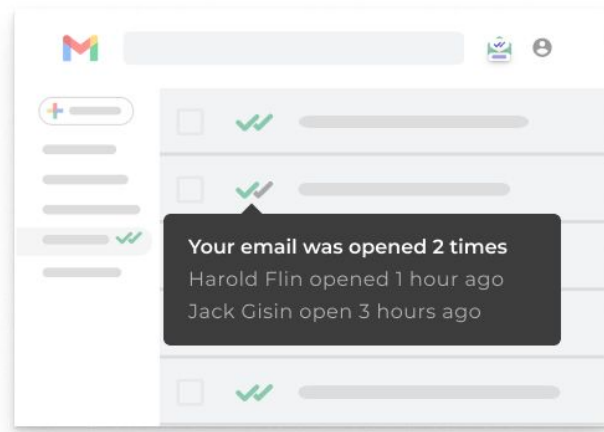
- Invisible 1x1 px images
- 94% websites





# Email tracking

- › Third parties
- › 70% of them tracking
- › Pixels
- › Email leaks in 30% emails



Row	Request URL
0	<a href="http://inbox.washingtonexaminer.com/imp?[...]&amp;e=&lt;EMAIL&gt;&amp;p=0">http://inbox.washingtonexaminer.com/imp?[...]&amp;e=&lt;EMAIL&gt;&amp;p=0</a>
1	<a href="http://p.liadm.com/imp?[...]&amp;m=&lt;MD5(address)&gt;&amp;sh=&lt;SHA1(address)&gt;&amp;sh2=&lt;SHA256(address)&gt;&amp;p=0&amp;dom=&lt;EMAIL_DOMAIN&gt;">http://p.liadm.com/imp?[...]&amp;m=&lt;MD5(address)&gt;&amp;sh=&lt;SHA1(address)&gt;&amp;sh2=&lt;SHA256(address)&gt;&amp;p=0&amp;dom=&lt;EMAIL_DOMAIN&gt;</a>
2	<a href="http://x.bidswitch.net/sync?ssp=liveintent&amp;bidder_id=5298&amp;licd=3357&amp;x=EGF.M[...]">http://x.bidswitch.net/sync?ssp=liveintent&amp;bidder_id=5298&amp;licd=3357&amp;x=EGF.M[...]</a>
3	<a href="http://x.bidswitch.net/ul_cb/sync?ssp=liveintent&amp;bidder_id=5298&amp;licd=3357&amp;x=EGF.M[...]">http://x.bidswitch.net/ul_cb/sync?ssp=liveintent&amp;bidder_id=5298&amp;licd=3357&amp;x=EGF.M[...]</a>
4	<a href="http://p.adsymptotic.com/d/px/?_pid=12688&amp;_psign=d3e69[...]&amp;bidswitch_ssp_id=liveintent&amp;_redirect=[...]">http://p.adsymptotic.com/d/px/?_pid=12688&amp;_psign=d3e69[...]&amp;bidswitch_ssp_id=liveintent&amp;_redirect=[...]</a>
5	<a href="http://p.adsymptotic.com/d/px/?_pid=12688&amp;_psign=d3e69[...]&amp;bidswit[...]&amp;_redirect=[...]&amp;_expected_cookie=[...]">http://p.adsymptotic.com/d/px/?_pid=12688&amp;_psign=d3e69[...]&amp;bidswit[...]&amp;_redirect=[...]&amp;_expected_cookie=[...]</a>
6	<a href="http://x.bidswitch.net/sync?dsp_id=126&amp;user_id=84f3[...]&amp;ssp=liveintent">http://x.bidswitch.net/sync?dsp_id=126&amp;user_id=84f3[...]&amp;ssp=liveintent</a>
7	<a href="http://i.liadm.com/s/19751?bidder_id=5298&amp;licd=3357&amp;bidder_uid=&lt;UUID_1&gt;">http://i.liadm.com/s/19751?bidder_id=5298&amp;licd=3357&amp;bidder_uid=&lt;UUID_1&gt;</a>
8	<a href="http://cm.g.doubleclick.net/pixel?google_nid=liveintent_dbm&amp;google_cm&amp;google_sc">http://cm.g.doubleclick.net/pixel?google_nid=liveintent_dbm&amp;google_cm&amp;google_sc</a>
9	<a href="http://cm.g.doubleclick.net/pixel?google_nid=liveintent_dbm&amp;google_cm=&amp;google_sc=&amp;google_tc=">http://cm.g.doubleclick.net/pixel?google_nid=liveintent_dbm&amp;google_cm=&amp;google_sc=&amp;google_tc=</a>
10	<a href="http://p.liadm.com/match_g?bidder_id=24314&amp;bidder_uid=&lt;UUID_2&gt;&amp;google_cver=1">http://p.liadm.com/match_g?bidder_id=24314&amp;bidder_uid=&lt;UUID_2&gt;&amp;google_cver=1</a>
11	<a href="http://x.bidswitch.net/sync?ssp=liveintent&amp;bidder_id=5298&amp;licd=">http://x.bidswitch.net/sync?ssp=liveintent&amp;bidder_id=5298&amp;licd=</a>
12	<a href="http://pool.udsp.iponweb.net/sync?ssp=bidswitch&amp;bidswitch_ssp_id=liveintent">http://pool.udsp.iponweb.net/sync?ssp=bidswitch&amp;bidswitch_ssp_id=liveintent</a>

Table 6. Redirect chain from a LiveIntent Email Tracking Pixel. URL query strings are truncated for clarity (using [...]).



# The targeted advertising landscape



# Marketing Technology Landscape

## The Martech 5000

Total Solutions 8,000

Advertising & Promotion 922

Content & Experience 1,936

Social & Relationships 1,969

Commerce & Sales 1,314

Data 1,258

Management 601

Access all the data of this landscape & more at [martech5000.com](https://martech5000.com)

2019

7,040 solutions

2018

6,829 solutions

2017

5,381 solutions

2016

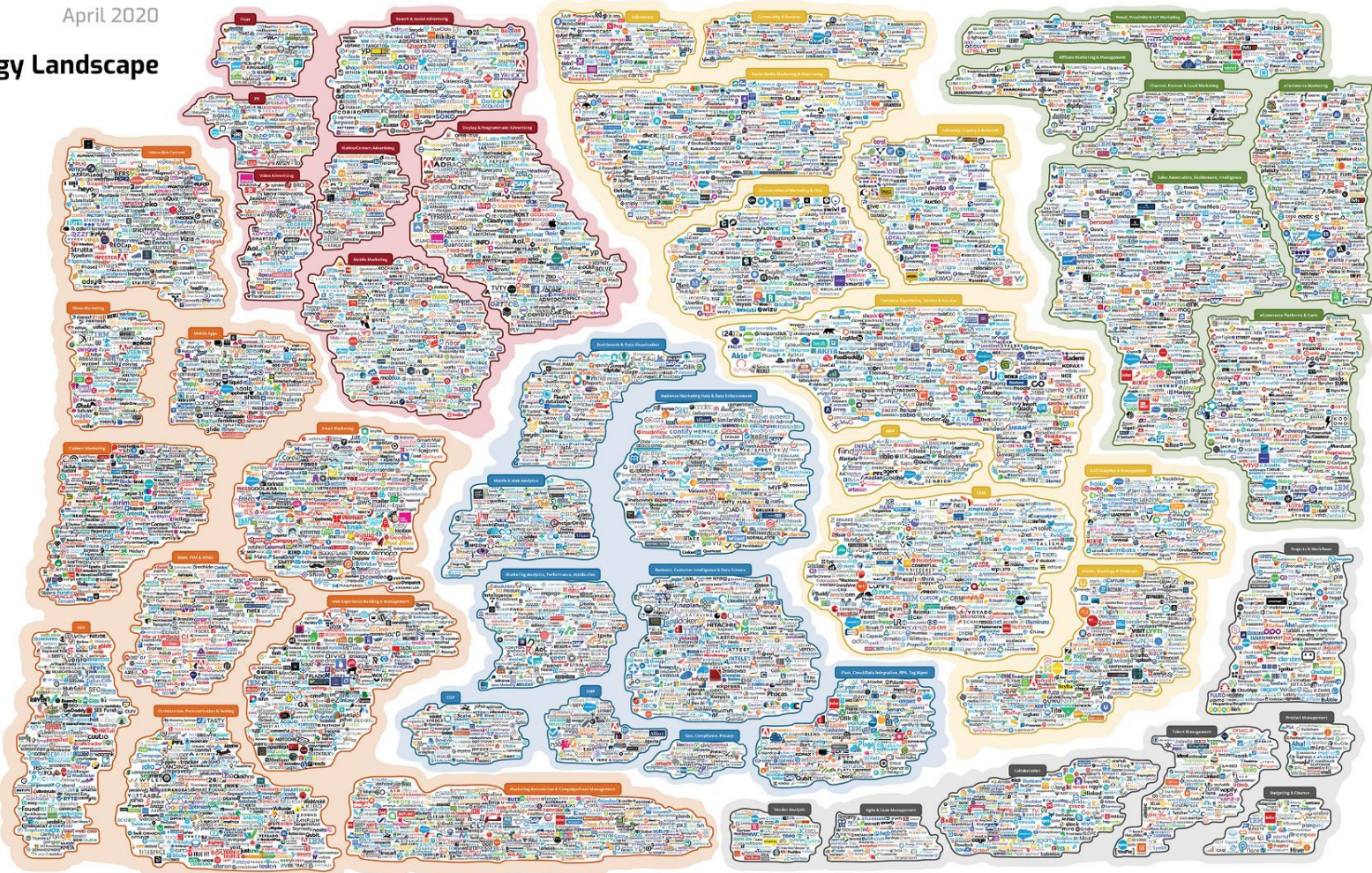
3,874 solutions

2015

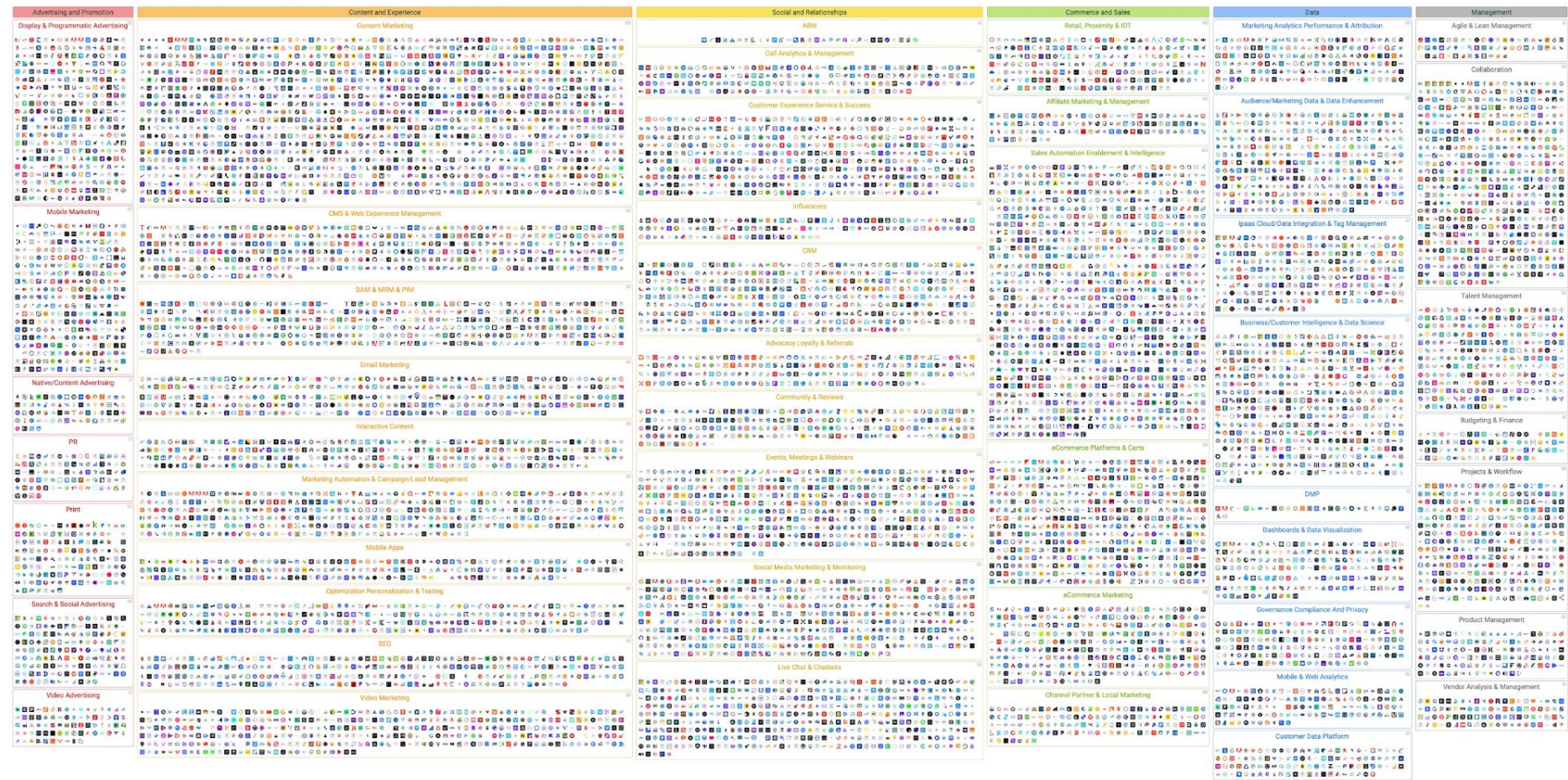
1,876 solutions

2014

947 solutions









# State of Martech 2025

## Boom, Balance, or Bust?

### Number of Martech Software Apps Since 2011

10,156% growth  
since 2011

9% growth in the  
last 12 months



1. Boom: The GenAI wave continues!

2. Balance: We've hit a plateau!

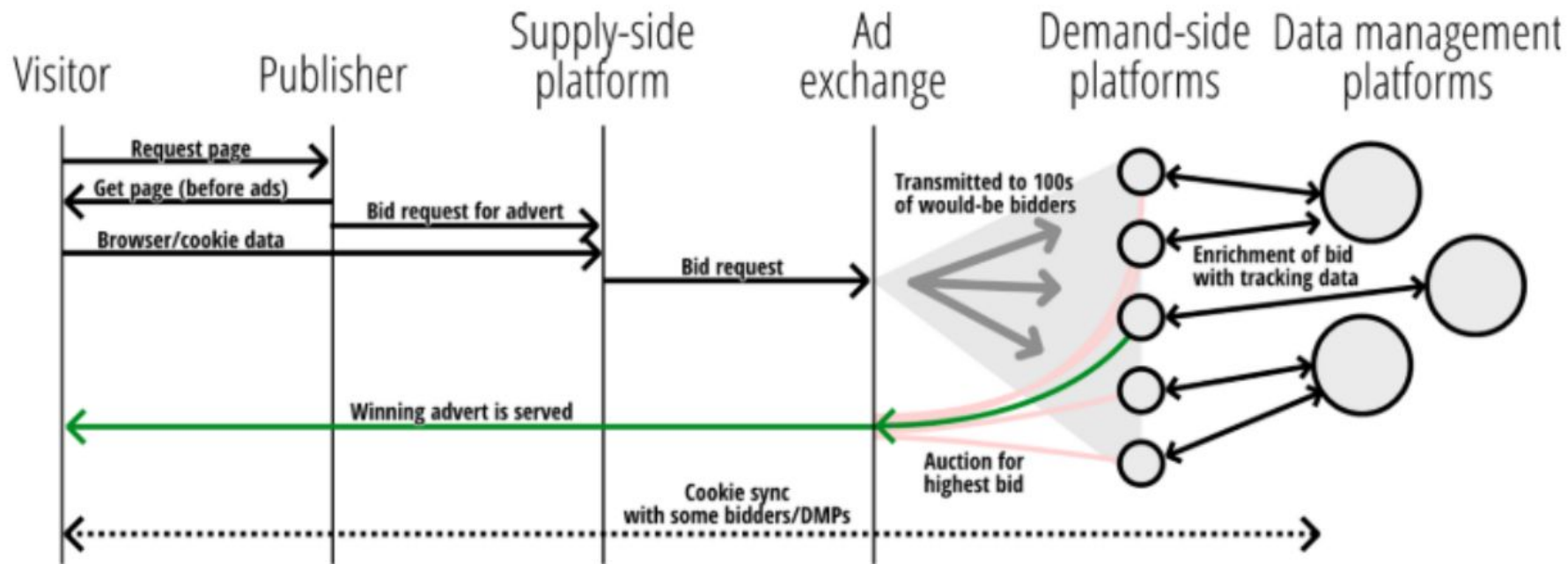
3. Bust: Consolidation at last!



# RTB

- › Supply-side platforms (SSPs)
  - Used by publishers/websites
- › Demand-side platforms (DSPs)
  - Used by advertisers
- › Data management platforms (DMPs)
  - Optimize and organize ads with user data





**Figure 1.** Actors and processes involved in RTB (source: Vaele et. al.<sup>12</sup>)



# Data brokers

- › Specialize in collecting and selling personal data
- › Interact with DMPs
- › Scraping public data

ACX IOM

It's time to do what winners do.  
**Data-driven marketing,**  
made better.

Some days, marketing feels impossible. But it doesn't have to. Let us take on the complexity of **connecting platforms**, managing **martech**, and unifying **data**, giving you the **Customer Intelligence** to make customer experiences count.

[Start Exploring](#)

[View Resources](#)



# The price of personal data

- › Age, gender, location
  - 0.05 cent
- › Buying a car
  - 0.21 cent
- › Pregnant
  - 11 cent
- › Health data
  - 26 cent

*Source: Financial worth of data comes in at under a penny a piece*



**Table 1** Number of bid request broadcasts per day

<b>Advertising Exchange companies</b>	<b>Bid requests broadcast per day</b>	<b>Sharing with other companies</b>
Google	Unknown (active on 9.8 million websites) <sup>9</sup>	May send data to 1,057 companies [22].
Microsoft (Xandr)	131 billion data broadcasts	May send data to 1,647 companies [14];
IndexExchange	120 billion data broadcasts [23]	Unknown
Pubmatic	100 billion data broadcasts [24]	Unknown
OpenX	100 billion data broadcasts [25]	Unknown
Yahoo ad tech	600 billion ad requests, daily. <sup>10</sup> Number of daily broadcasts unknown.	Unknown
Smaato	60 billion ad requests, daily. <sup>11</sup> Number of daily broadcasts unknown	May send data to 1,674 other companies <sup>12</sup>
Facebook	Unknown	Unknown
Amazon	Unknown	Unknown



# Profile segments

- › Age
- › Religious Affiliation
- › Technology Interest
- › Expectant or New Parent
- › Gender
- › Political Affiliation
- › Social Media Usage
- › Real Property Attributes
- › Height
- › Household Income
- › Vehicle Ownership
- › New Mover/Renter/Owner
- › Weight
- › Net Worth
- › Credit Card Usage
- › Discount Shopper
- › Race
- › Marital Status
- › Vacation Habits
- › High-End Shopper
- › Ethnicity
- › Biker
- › Cholesterol Focus
- › Home Loan Type
- › Occupation
- › Presence of Children
- › Guns and Ammunition Purchases
- › Home Ownership Status
- › Buy Disability Insurance
- › Lenses or Contacts
- › Brand Medication Conscious
- › Diabetes Interest
- › Investment Habits
- › Soon-to-be High School Graduates
- › School-aged Children
- › Smoker in Household
- › Gambling

Source: FTC: Data Brokers A Call for Transparency and Accountability

<https://www.ftc.gov/system/files/documents/reports/data-brokers-call-transparency-accountability-report-federal-trade-commission-may-2014/140527databrokerreport.pdf#page=43>



# Data brokers specialize in political advertising

## Description of Data Types:

The i360 Online Segments are custom-tailored for the political and advocacy communities. Segments include:

### **Registration & Partisanship**

Registered, Unregistered and Newly Registered Voters; Primary Voters; Republican, Democrat, Independent, and Swing Voters

### **Propensity or Likelihood to Vote**

High, Mid, and Low

### **Issues**

Fiscally Conservative – Spending and Debt, Fiscally Conservative – Tax, Fiscally Liberal - Tax; Pro 2<sup>nd</sup> Amendment Voters; Likely Pro-Choice and Likely Pro-Life; Likely Supportive of Same Sex Marriage, Likely Supportive



**Step 1.**  
A person loads a  
webpage



**Step 2.**  
Supply Side Platform  
(SSP) sends personal data  
(RTB bid request) to one  
or more Ad Exchanges

SSP

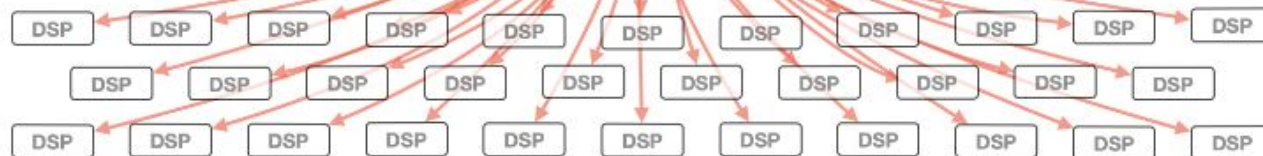
Ad Exchange

**Legend**

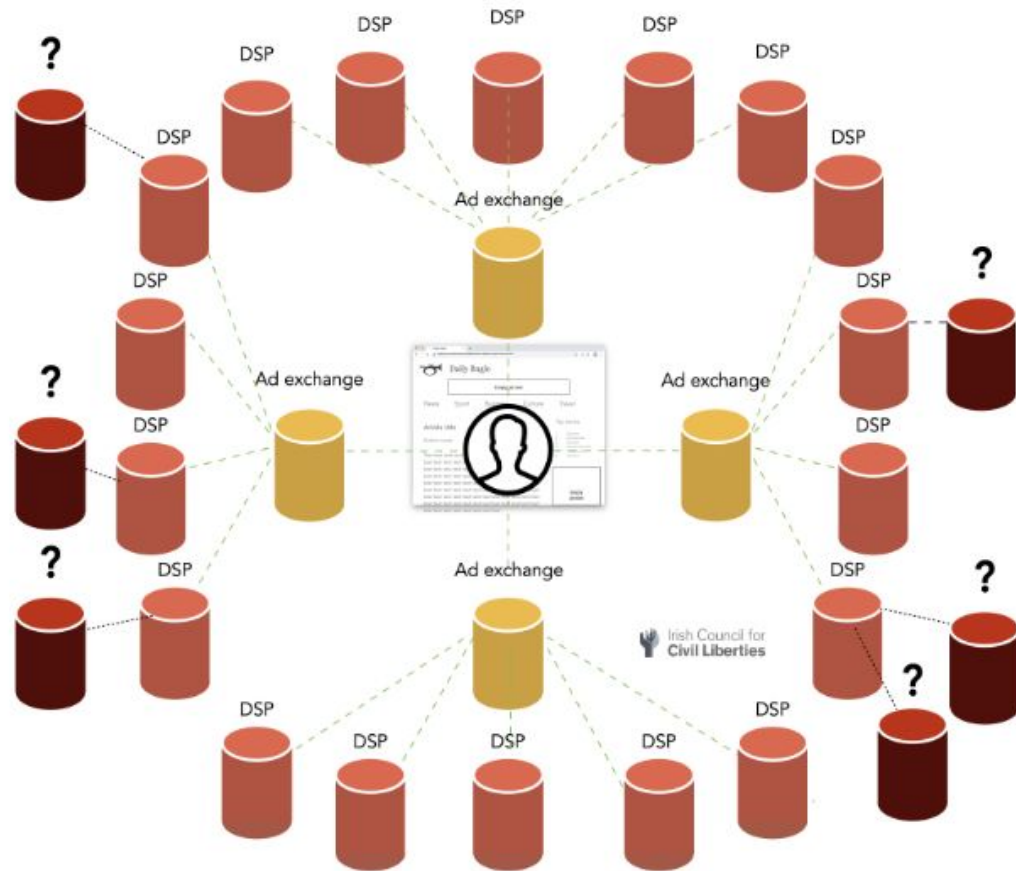
→ Not observable  
→ Observable

**Step 3.**  
Ad Exchanges broadcast  
the personal data (RTB  
bid request) to many  
Demand Side Platforms  
(DSPs)

Ad Exchange





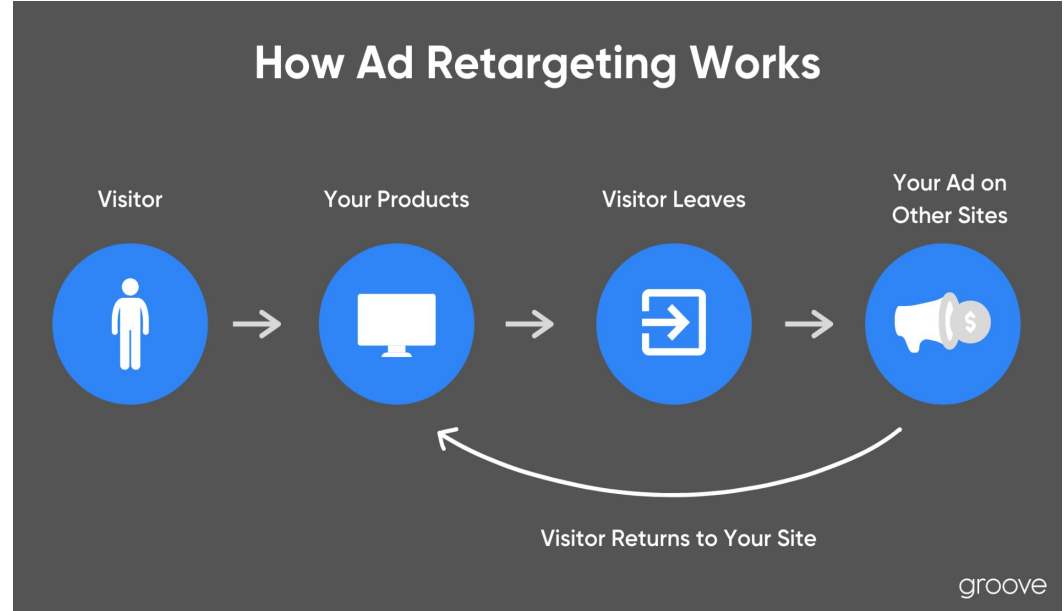


Irish Council for  
Civil Liberties



# Ad retargeting

- › Pixel-based
- › Can be cross-device
- › Ultrasonic tracking
- › E.g. ads on TV





# Motion and eyeball tracking



## MoviePass 2.0 Wants to Track Your Eyeballs to Make Sure You Watch Ads

Source: <https://www.vice.com/en/article/akvnba/moviepass-20-wants-to-track-your-eyeballs-to-make-sure-you-watch-ads>



# Tracking is not only on the web!

\*Privacy Not Included

mozilla

## WHERE DOES ALL YOUR DATA GO?





The background is a solid blue color with several overlapping, semi-transparent circles of varying shades of blue. A large, light blue arrow points from the bottom left towards the right side of the image, partially overlapping the circles.

















Defenses: technical



# In-browser protection

- › Depends on the browser
  - Popular browsers vs. privacy-by-design browsers
  - Opt-in vs. opt-out
  - Tracker list used
    - E.g. easylist
      - */ads/serve?*
      - *||bet365.com/favicon.ico\$third-party*
      - *||bannertrack.net^\$~script*



-  You and Google
  -  Autofill and passwords
  -  **Privacy and security**
  -  Performance
  -  Appearance
  -  Search engine
  -  Default browser
  -  On startup
- 
-  Languages
  -  Downloads
  -  Accessibility
  -  System
  -  Reset settings
- 
-  Extensions 
  -  About Chrome

## ← Third-party cookies





A site you visit can embed content from other sites, for example, images, ads, and text. Cookies set by these other sites are called third-party cookies.

### Default behavior

Sites automatically follow this setting when you visit them

☐ Allow third-party cookies 

☒ Block third-party cookies in Incognito mode 




Sites can use cookies to improve your browsing experience, for example, to keep you signed in or to remember items in your shopping cart



While in Incognito, sites can't use your cookies to see your browsing activity across sites, even related sites. Your browsing activity isn't used for things like personalizing ads. Features on some sites may not work.

☐ Block third-party cookies 

Send a "Do Not Track" request with your browsing traffic 

Preload pages  
Standard preloading 

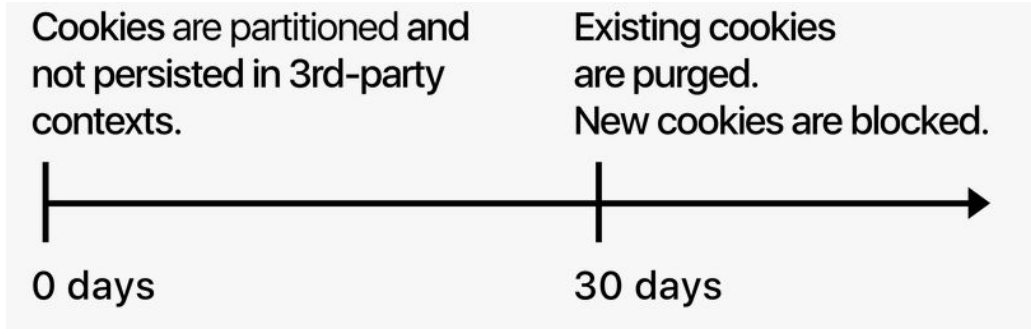
See all site data and permissions 



# Safari Intelligent Tracking Prevention



- › 3rd party cookies are restricted
- › 1st party cookies automatically deleted after 7 days when no interaction
  - Set to 24 hours for trackers
- › Storage partitioning
- › Referrer header

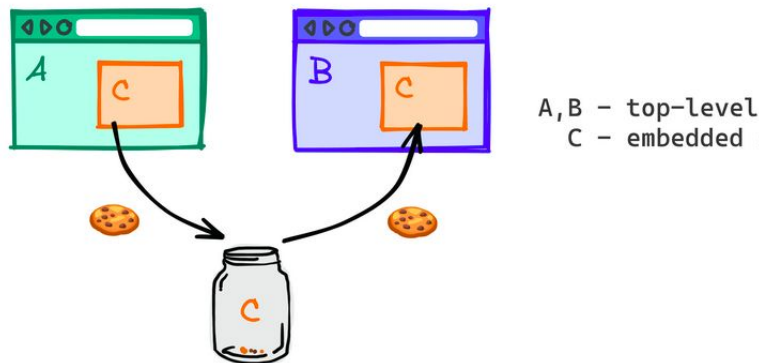




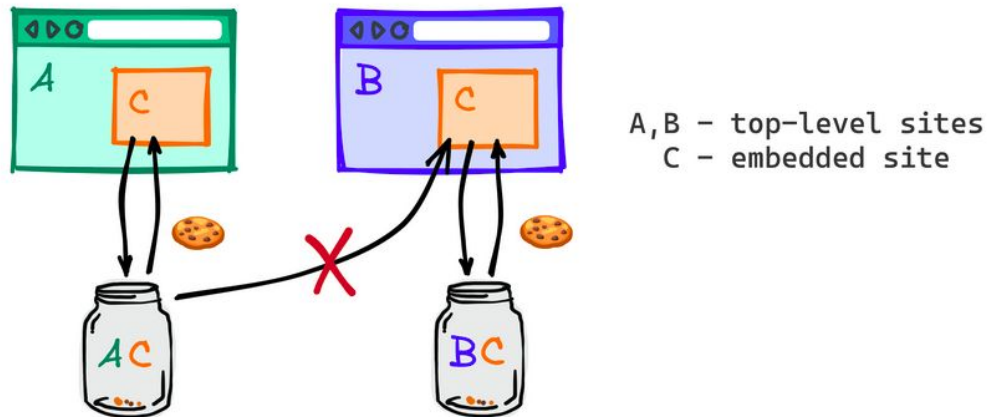
# CHIPS

## › Separate cookie jar per top level

Unpartitioned



Partitioned





# Brave Shields

- › Cookie partitioning
- › Storage partitioning
- › 1st-party cookies expire in 7 days
- › Removes tracking parameters from URLs
- › Add noise for canvas fingerprinting





	Brave	Chrome	Edge	Firefox	Safari
<b>Mechanism</b>	<a href="#">Shields</a>	n/a	<a href="#">Tracking prevention</a>	<a href="#">Enhanced Tracking Protection (ETP)</a>	<a href="#">Intelligent Tracking Prevention (ITP)</a>
<b>Deployed in</b>	0.55.18	n/a	78.0.276.8	69.0	Safari 11
<b>Latest release</b>	<a href="#">Link</a>	<a href="#">Link</a>	<a href="#">Link</a>	<a href="#">Link</a>	<a href="#">Link</a>
<b>Default protection mode</b>	Default Shield settings	n/a	Balanced	Standard	ITP enabled
<b>Classification of “known trackers”</b>	1 Multiple filter lists	1 n/a	1 Trust Protection Lists (with engagement and organization mitigation)	1 Disconnect.me	1 Algorithmic
<b>Cookies in 3rd party context</b>	1 Restrict access in subresource requests. 1 Partitioned access in frame. 1 Partitioned storage is cleared when no more first-party documents that use the partition are open, or when the browser is closed.	1 Opt-in mechanism (CHIPS) for partitioning cookies in 3P context. 1 Cookies restricted to a maximum lifetime of 400 days.	1 Opt-in mechanism (CHIPS) for partitioning cookies in 3P context. 1 Access restricted for known trackers.	1 Access restricted for known trackers. 1 Cookies are partitioned between the site and the third-party. Cookies are not shared across sites.	1 All access restricted, except with Storage Access API. 1 Opt-in mechanism (CHIPS) for partitioning cookies in 3P context.
<b>Cookies in 1st party context</b>	1 For cookies set with <code>document.cookie</code> , expiration set to 7 days. 1 Otherwise maximum expiry set to 6 months.	1 Cookies restricted to a maximum lifetime of 400 days.	1 No restrictions.	1 All storage is purged from known trackers daily, unless the user has interacted with the site in first-party context within the last 45 days.	1 For cookies set with <code>document.cookie</code> , deletion happens after 7 days of browser use without user interaction on the site. 1 For cookies set with <code>document.cookie</code> , expiration set to 24 hours on pages with URL decoration (query parameters or fragments) when referring domain is a known tracker.
<b>Other browser storage in 3rd party context</b>	1 Partitioned access in frame. 1 Partitioned storage is cleared when no more first-party documents that use the partition are open, or when the browser is closed.	1 Chrome partitions third-party storage.	1 Access restricted for known trackers. 1 No restrictions for other domains.	1 <code>localStorage</code> and <code>IndexedDB</code> restricted for known trackers. 1 <code>sessionStorage</code> is not restricted. 1 Storage is partitioned between the site and the third-party. Storage is not shared across sites.	1 <code>localStorage</code> is partitioned and reset between application launches. 1 <code>IndexedDB</code> is restricted. 1 <code>sessionStorage</code> is partitioned.
<b>Other browser storage in 1st party context</b>	1 No restrictions.	1 No restrictions.	1 No restrictions.	1 All storage is purged from known trackers daily, unless the user has interacted with the site in first-party context within the last 45 days.	1 All script-writable storage is deleted after 7 days of browser use without interaction (click, tap, text input) with the site.
<b>CNAME cloaking</b>	1 Brave blocks any network requests where either the requested URL or that URL's CNAME record matches any rules in Brave's blocklists.	1 No restrictions.	1 No restrictions.	1 No restrictions.	1 Expiration of cookies set with <code>Set-Cookie</code> HTTP response headers is 7 days at most, if the response originates from a subdomain that has a CNAME alias to a cross-site origin, or if the subdomain is configured with A/AAAA records where the first half of the IP address does not match the first half of the IP address of the website the user is currently browsing.



# Browser extensions

## › Block requests to trackers



- Not only trackers are blocked, also ads, malicious content etc.

## › Limitations

- Need to be maintained
- Whitelisting
- Can be circumvented



# **Google, Microsoft, and Amazon are paying to get around Adblock Plus**

**We now know another of the big companies that pays Adblock Plus to unblock its ads**



#### INDEX

[What are Acceptable Ads?](#)

[What are Acceptable Ads without third-party tracking?](#)

[What is the Acceptable Ads Committee?](#)

#### | Acceptable Ads criteria

[Desktop criteria](#)

[Specific criteria](#)

[Mobile criteria](#)

[Other Acceptable Ads formats?](#)

[Why is the Acceptable Ads feature enabled by default?](#)

[But I hate all ads!](#)

[Do Adblock Plus users really want Acceptable Ads?](#)

[Are all annoying ads blocked?](#)

[Can I view the Acceptable Ads allowlist?](#)

[How do I report an ad that doesn't meet the criteria?](#)

[How can I get ads on my website allowlisted?](#)

[Is there payment involved?](#)

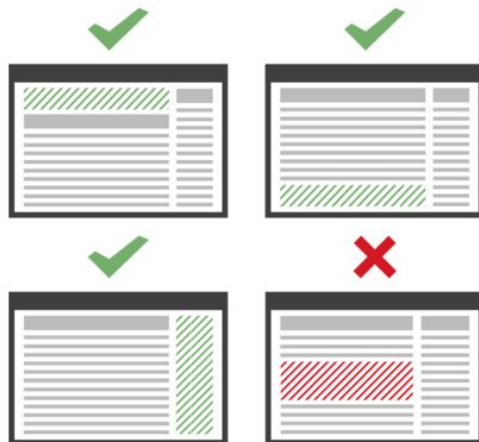
## Acceptable Ads criteria

Acceptable Ads, as defined by the Acceptable Ads Committee, have to comply with the following criteria:

### Desktop criteria

#### Placement

Ads must not disrupt the user's natural reading flow. Such ads must be placed on top, side or below the Primary Content.<sup>1</sup>



#### Distinction



# Fingerprinting

- › Blocking all API calls?
- › Introduce noise
  - Canvas Blocker extension<sup>1</sup>
- › Only use “Canvas-safe” fonts
- › Require permission for the extraction of pixels
- › Blocking known fingerprinting scripts
- › AI-based blocking
  - FP-Inspector<sup>2</sup>

<sup>1</sup><https://chromewebstore.google.com/detail/canvas-blocker-fingerprin/nomaklagbgmgghjidfhnoelnjndfpd>

<sup>2</sup><https://github.com/uiowa-irl/FP-Inspector>



# Browser policies to improve privacy

## › User-agent client hints

- Low entropy <-> high entropy

*Mozilla/5.0 (Windows NT 10.0; Win64; x64)*

*AppleWebKit/537.36 (KHTML, like Gecko)*

*Chrome/92.0.4515.107 Safari/537.36*

```
navigator.userAgentData
  .getHighEntropyValues([
    "architecture",
    "model",
    "platform",
    "platformVersion",
    "fullVersionList",
  ])
  .then((ua) => {
    console.log(ua);
  });
```



# Browser policies to improve privacy

- › User-agent client hints
- › Referrer policy

```
Referrer-Policy : no-referrer  
Referrer-Policy : no-referrer-when-downgrade  
Referrer-Policy : origin  
Referrer-Policy : strict-origin  
Referrer-Policy : origin-when-cross-origin  
Referrer-Policy : strict-origin-when-cross-origin  
Referrer-Policy : same-origin  
Referrer-Policy : unsafe-url
```



# Advanced evasion techniques



# Third-party tracking

www.website1.com

www.tracker.com



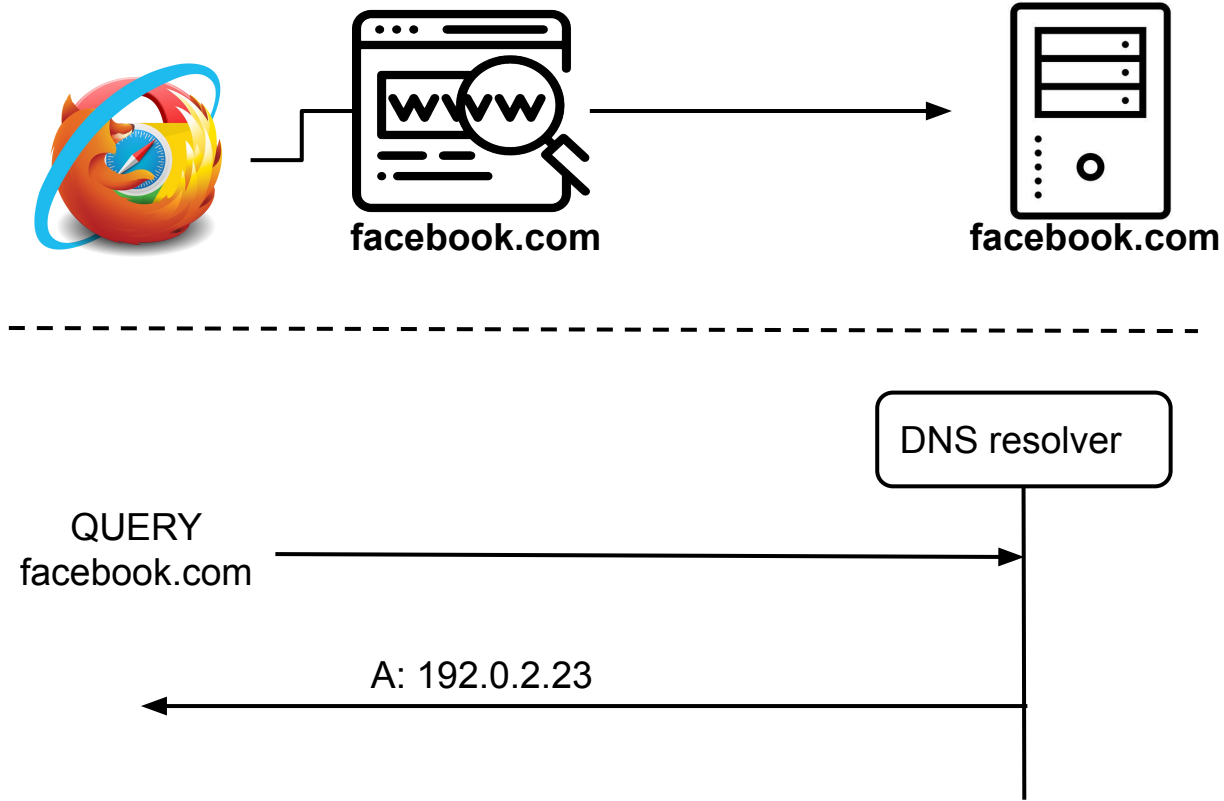
Browser extensions

Browser built-in protections



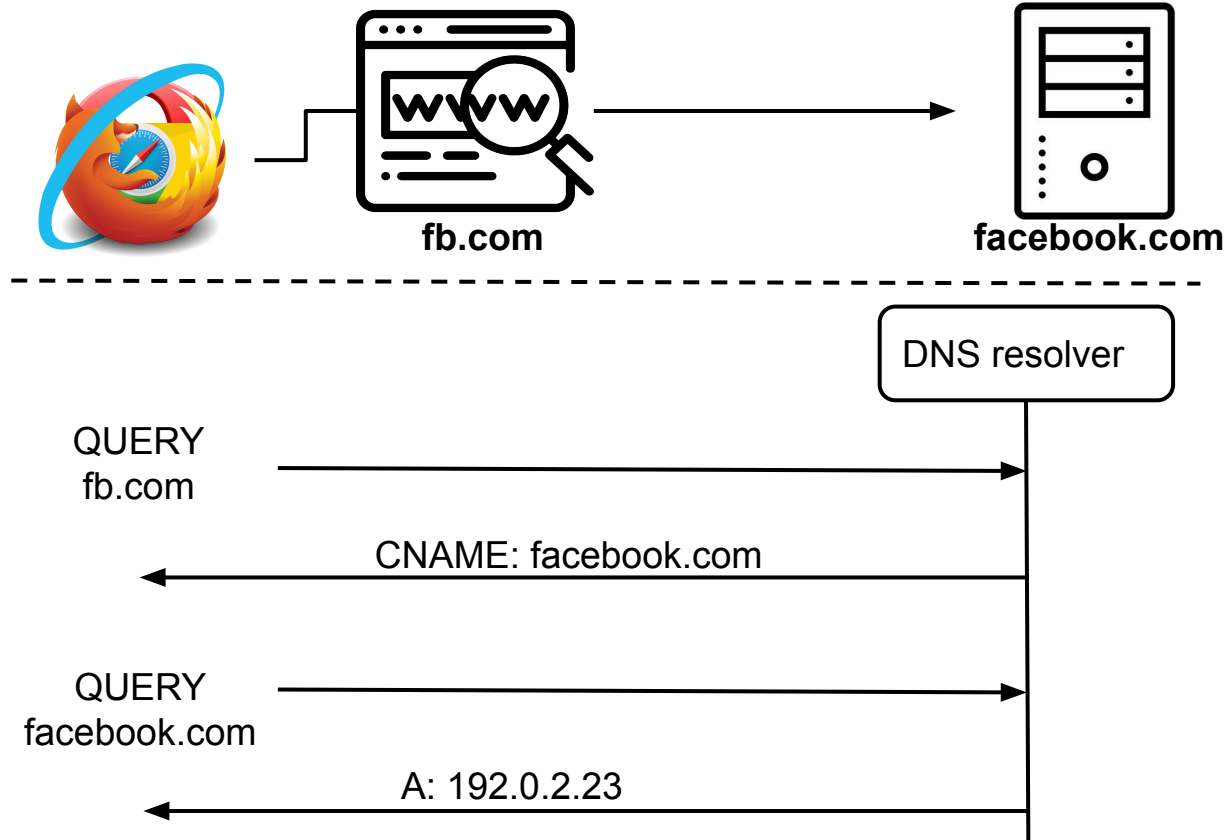


# DNS



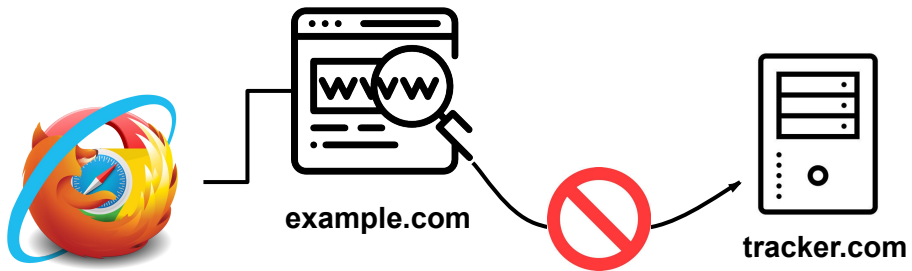


# DNS

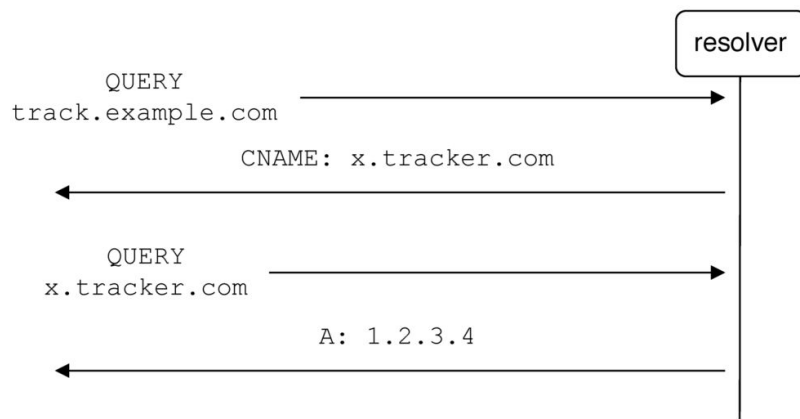
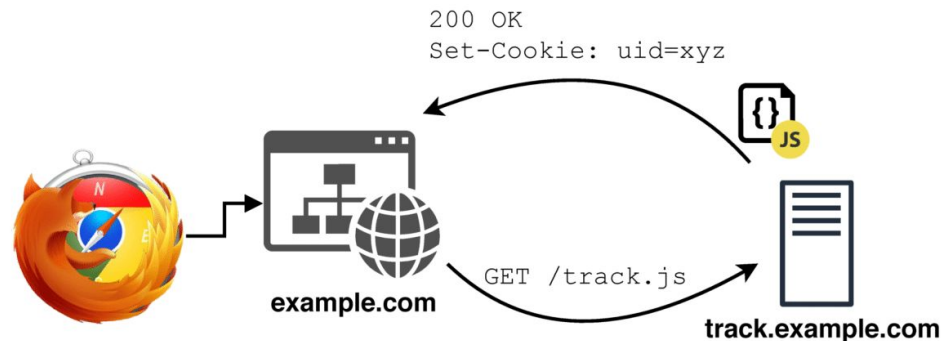




## Third-party tracking

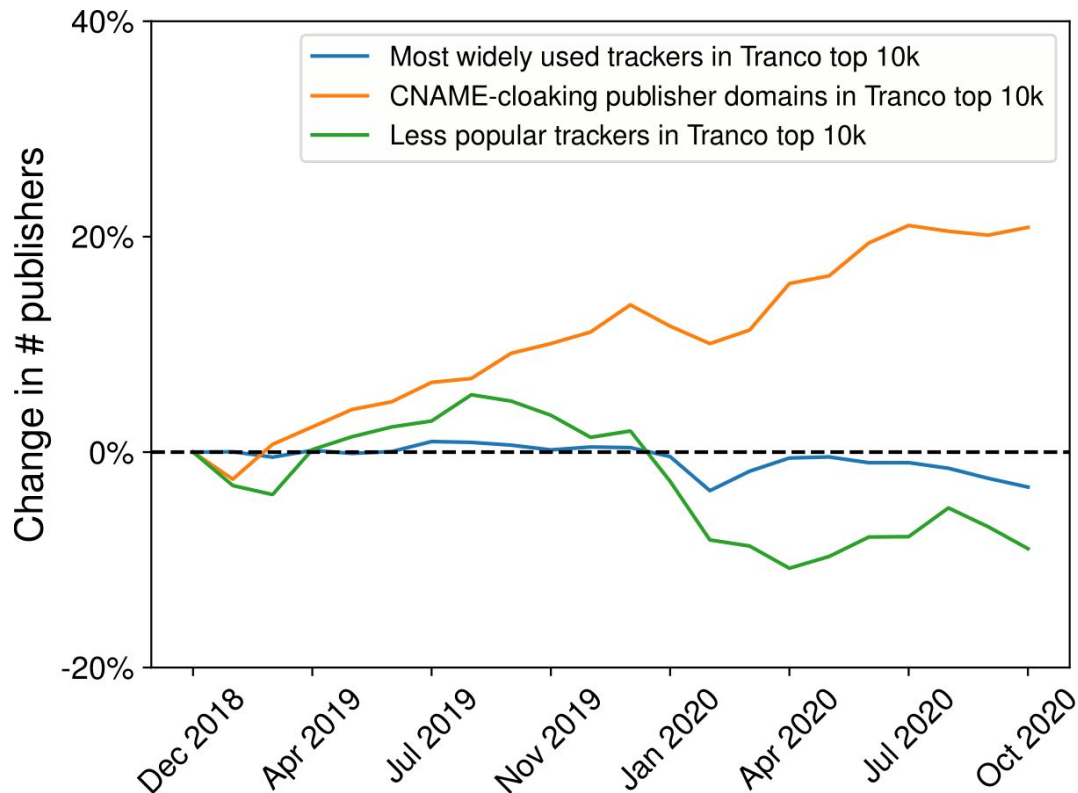


## CNAME-based tracking





# CNAME tracking: 10% popular websites

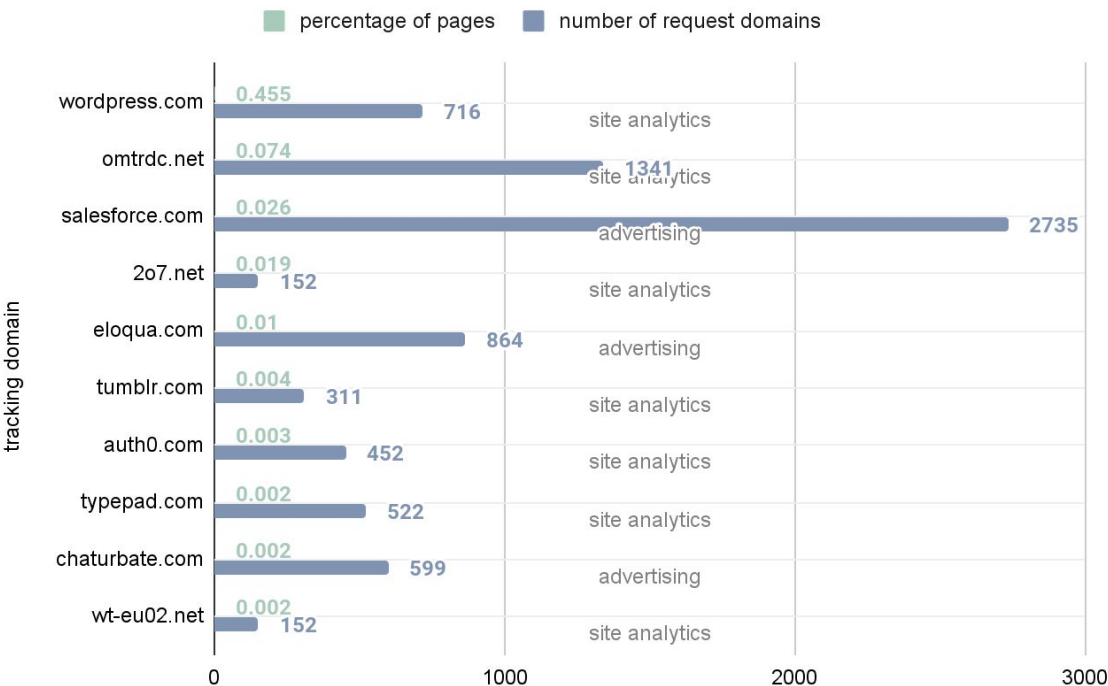




# CNAME tracking

## Top 10 CNAME tracking domains

Web Almanac 2024: Privacy



Source: Web Almanac 2024, to be published on 1st of November 2024 69

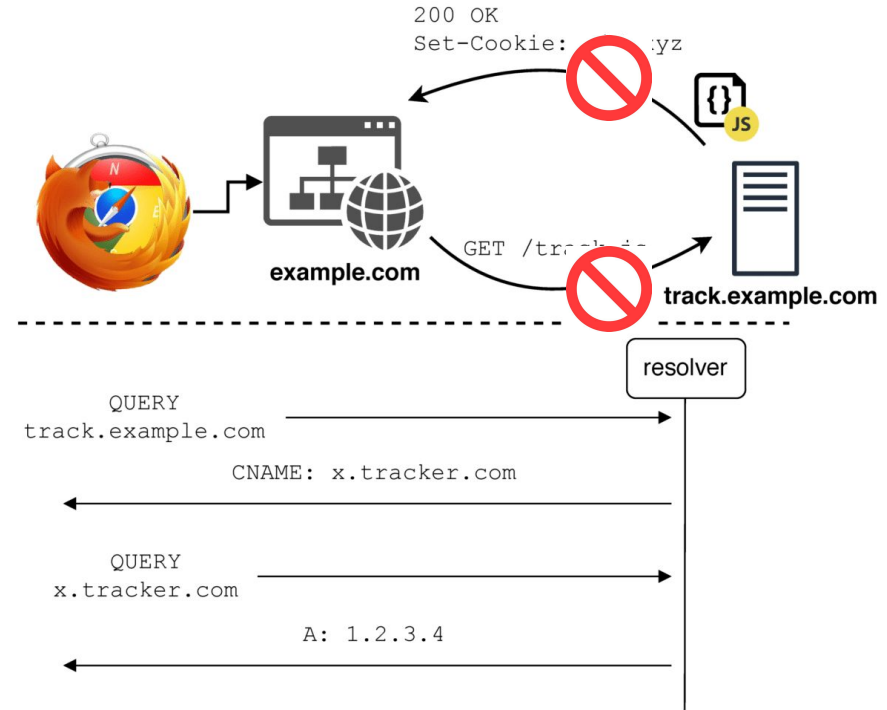


# Countermeasures

## › DNS-level blocking



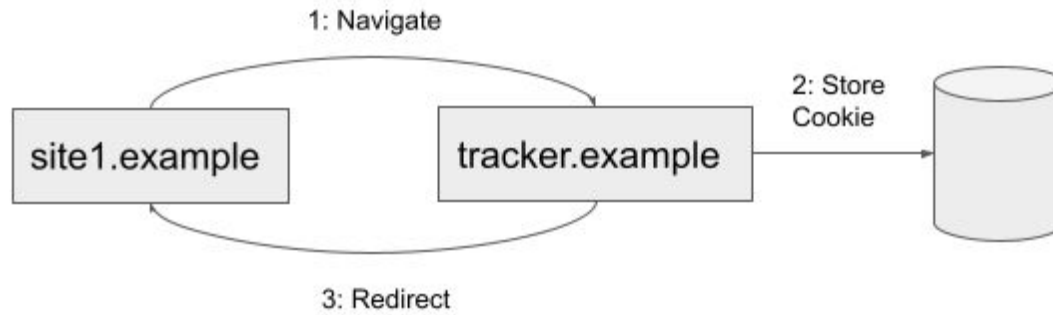
## › Limited cookie lifetime





# Bounce tracking

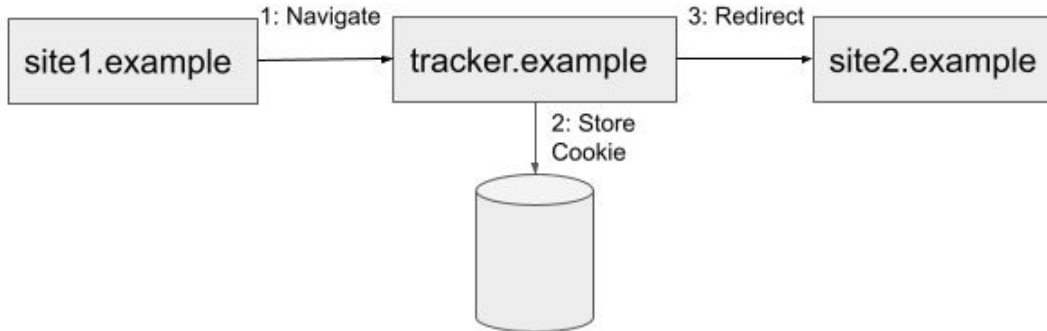
- › Evasion of third-party cookie restrictions
- › Unpartitioned third-party cookie is set
- › Redirect back to original site





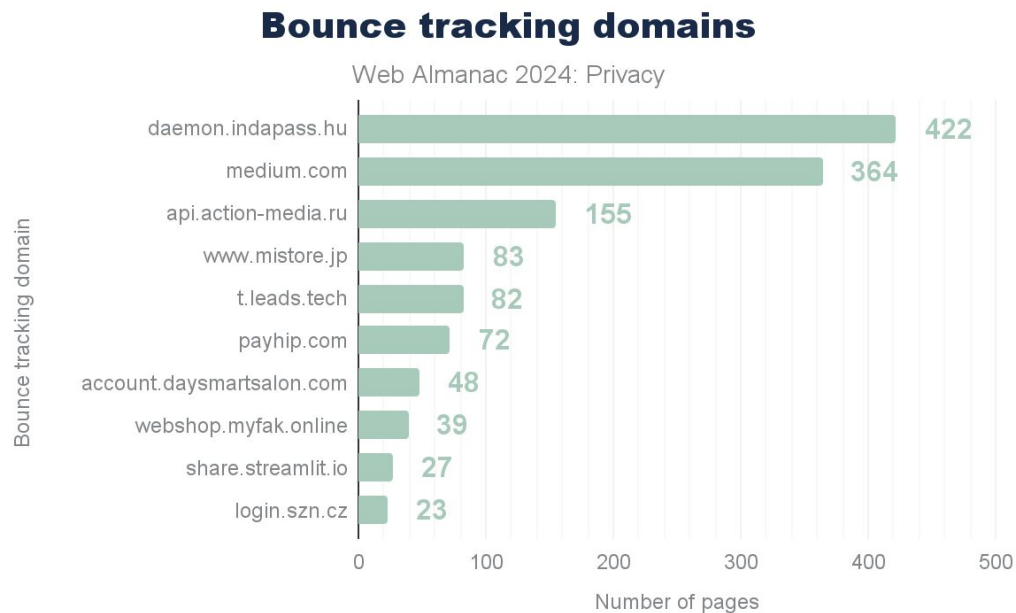
# Bounce tracking

- › Evasion of third-party cookie restrictions
- › Unpartitioned third-party cookie is set
- › Redirect back to original site
- › OR when the user clicks on a link





# Bounce tracking





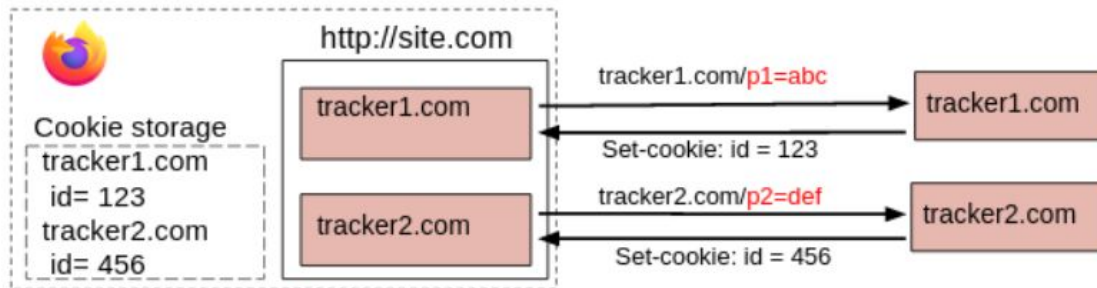
# Bounce tracking: Defenses

- › Brave: ephemeral storage for known trackers
- › Firefox: delete storage for trackers
- › Safari: cap cookie lifetime

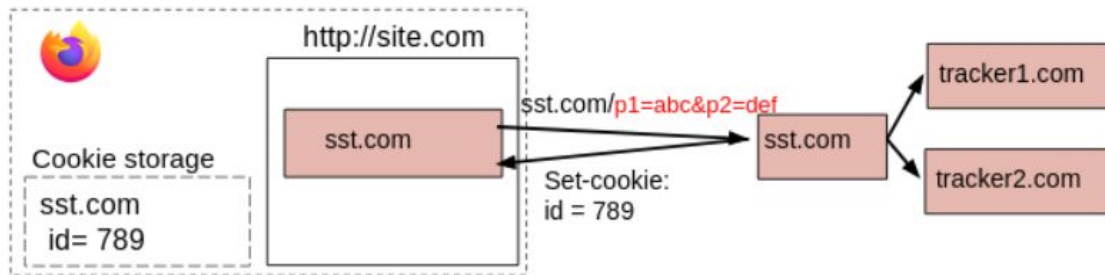


# Server-side tracking

>



**(a) Client-side tracking: Direct inclusion of third party services**



**(b) Server-side tracking: Tracking moved to the server side**



# Server-side tagging

GOOGLE MARKETING PLATFORM

## Improve performance and security with Server-Side Tagging

- › + single connection to tracking server
- › + developer has control
- › - **transparency!**



Conclusion: we need PETS?



# Conclusion: we need PETS?

Yes,  
BUT





# Contextual advertising



## Contextual Advertising

Q athletic shoes



advertisement is  
irrelevant to content on page

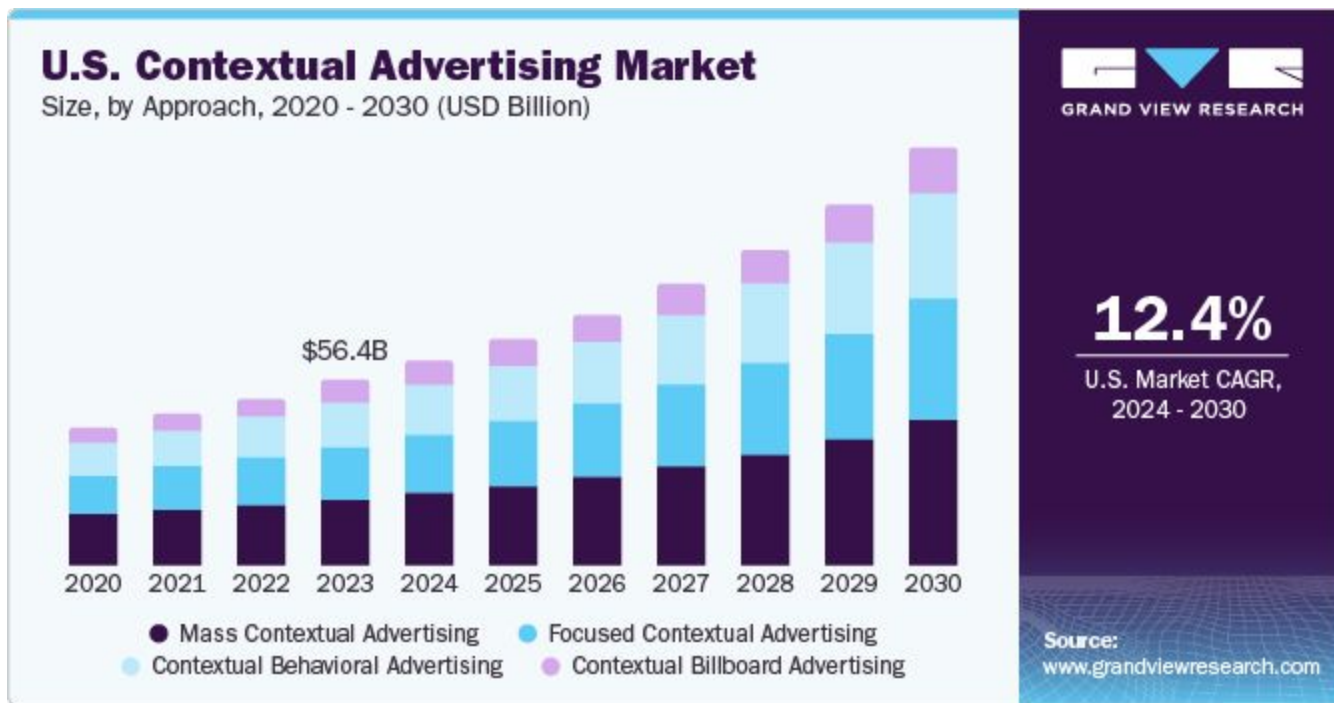


advertisement is  
relevant to content on page





# Contextual advertising





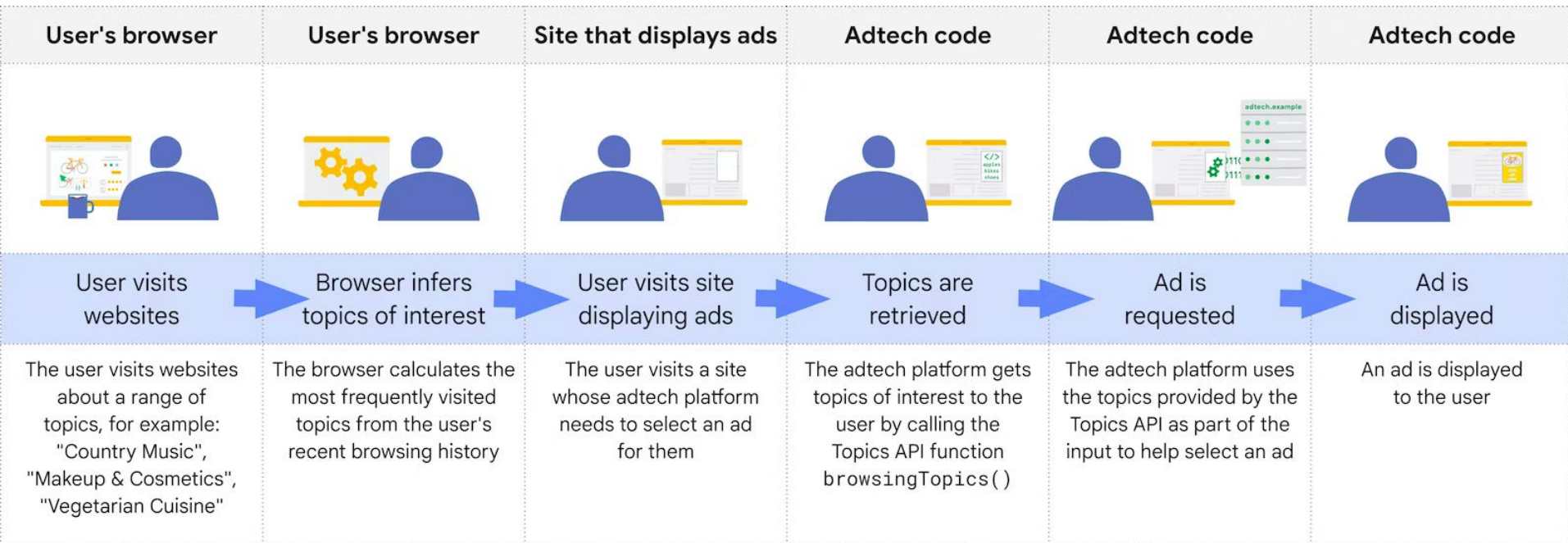
# Alternative advertising models

- › Centralized sharing of personal data
- › Only interests/profile shared with third parties
- › PII remains client-side
- › Privacy-preserving targeted advertising
- › But what about combinations of interests?



# Topics API

- › 5 topics per user updated weekly
- › Coarsely grained topics





# Privacy signals

- › Do Not Track (DNT)
  - HTTP request header
- › Must be implemented by client and data processors
- › Global Privacy Control (GPC)
  - CCPA
- › Transparency and Consent Framework (TCF)
  - IAB Europe
  - “GDPR solution”
  - Communicate cookie preferences to cookie banners



The background is a solid blue color. It features several overlapping circles of varying shades of blue, creating a layered effect. A large, light blue arrow points from the bottom left towards the right side of the image, partially overlapping the circles.

Defenses: legal



# The shortcomings of tracker-blocking tools

- › Circumvention
- › Alternative tracking methods
- › Whitelisting
- › At the expense of usability
- › Inefficient (performance)
- › Burden falls upon the user
  - ≠ privacy by design



# Privacy is a fundamental human right

## CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

(2012/C 326/02)

### *Article 7*

#### **Respect for private and family life**

Everyone has the right to respect for his or her private and family life, home and communications.

### *Article 8*

#### **Protection of personal data**

1. Everyone has the right to the protection of personal data concerning him or her.
2. Such data must be processed fairly for specified purposes and on the basis of the consent of the person concerned or some other legitimate basis laid down by law. Everyone has the right of access to data which has been collected concerning him or her, and the right to have it rectified.
3. Compliance with these rules shall be subject to control by an independent authority.



# European privacy and data protection law

- › GDPR
- › ePrivacy directive
- › DSA/DMA
- ~~(soon) ePrivacy regulation~~



# GDPR basics

## › What?

- Data relating to a identifiable person
  - Name, email, biometric data...
  - Online identifier, IP address, location data...


## › Who?

- Processors and controller of personal data in the EU
- Companies
- Government
- NOT LIAs




# GDPR basics

## THE PRINCIPLES OF DATA PROTECTION




### LAWFULNESS, FAIRNESS AND TRANSPARENCY

Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.




### PURPOSE LIMITATION

Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.




### DATA MINIMISATION

Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.




### ACCURACY

Personal data shall be accurate and, where necessary, kept up to date.




### STORAGE LIMITATION

Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.



### INTEGRITY AND CONFIDENTIALITY

Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.



### ACCOUNTABILITY

The controller shall be responsible for, and be able to demonstrate compliance with the Data Protection Principles.

Helping small businesses work towards Data Protection Compliance and deliver on their Web Application goals

[www.ServeIT.com](http://www.ServeIT.com)



# Art 6 GDPR: Lawfulness of processing

## Grounds for lawful processing of user information according to GDPR



### Consent

Individual has provided genuine, informed, explicit consent to the processing of their person data.



### Legal Obligation

If you need to process the personal data to comply with common law or a statutory obligation.



### Contract

A company can process personal data to fulfill a contractual obligation.



### Public Task

Processing of personal information by organizations that exercise official authority or serves public interest.



### Vital Interests

A company can process the personal data to protect someone's life.



### Legitimate Interests

The most flexible and lawful ground for processing personal information.



# Article 7

## Conditions for consent

1. Where processing is based on consent, the controller shall be able to demonstrate that the data subject has consented to processing of his or her personal data.
2. If the data subject's consent is given in the context of a written declaration which also concerns other matters, the request for consent shall be presented in a manner which is clearly distinguishable from the other matters, in an intelligible and easily accessible form, using clear and plain language. Any part of such a declaration which constitutes an infringement of this Regulation shall not be binding.
3. The data subject shall have the right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. Prior to giving consent, the data subject shall be informed thereof. It shall be as easy to withdraw as to give consent.



# What does GDPR say about online tracking?

- › Article 6 (1) b GDPR **cannot provide a lawful basis for online advertising** simply because such advertising indirectly funds the provision of their service
- › WP29 has previously considered that it would be **difficult for controllers to justify using legitimate interests as a legal basis for intrusive profiling and tracking practices** for marketing or advertising purposes, for example those that involve tracking individuals across multiple websites, locations, devices, services or data-brokering



# What does GDPR say about online tracking?

- › As a general rule, processing of personal data for **behavioural advertising is not necessary** for the performance of a contract for online services
- › in line with ePrivacy requirements [...] controllers must obtain data subjects' prior **consent** to place the cookies necessary to engage in **behavioural advertising**.



# ePrivacy directive (cookie law)

## › Art. 5(3): confidentiality of communication

Member States shall ensure that the storing of information, or the gaining of access to information already stored, in the **terminal equipment of a subscriber or user** is only allowed on condition that the subscriber or user concerned has given his or her **consent**, having been provided with clear and comprehensive information, in accordance with Directive 95/46/EC, inter alia, about the purposes of the processing. This shall not prevent any technical storage or access for the sole purpose of carrying out the transmission of a communication over an electronic communications network, or as strictly necessary in order for the provider of an information society service explicitly requested by the subscriber or user to provide the service.



# Irish DPC fines Meta 390M euros over legal basis for personalized ads

🕒 Jan 4, 2023

🔖 Save This

- › Contractual legal basis used for targeted ads
- › Case started in 2018 by NOYB

**Facebook behavioral ads banned by Norwegian privacy watchdog**

By **Sergiu Gatlan**

📅 July 19, 2023

🕒 08:12 AM

💬 1

<https://iapp.org/news/a/irish-dpc-fines-meta-390m-euros-over-legal-basis-for-personalized-ads/>

<https://www.bleepingcomputer.com/news/technology/facebook-behavioral-ads-banned-by-norwegian-privacy-watchdog/>



10 NOV  
2015

2015

2017

2018

2022



## The judgment in the Facebook case

In a judgement of 9 November 2015, the President of the Court of First Instance in Brussels, Belgium, ordered Facebook Inc., Facebook Ireland Limited and Facebook Belgium SPRL in summary proceedings to cease registering via cookies and social plug-ins which websites internet users from Belgium who do not have a Facebook account visit.

The order, which has been demanded by the Belgian Authority in a writ of summons of 10 June 2015, enters into force 48 hours after the Authority will officially serve the judgment to Facebook. If Facebook does not comply with the order, it will have to pay a penalty of 250,000 EUR per day of non-compliance. The order remains in force, even if Facebook appeals the judgement.

## Facebook Tracking Through Social Plug-ins

Technical report prepared for the Belgian Privacy Commission

Güneş Acar<sup>1</sup>, Brendan Van Alsenoy<sup>2</sup>, Frank Piessens<sup>3</sup>, Claudia Diaz<sup>1</sup>, Bart Preneel<sup>1</sup>

24 June 2015



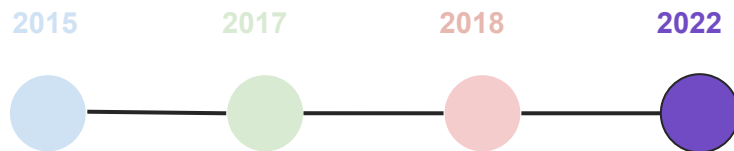
# Methodology

- › 43 experiments
  - Facebook users
  - Non-users
  - Opt-out
- › Manual and automatic
- › Facebook website and pages with Facebook products

Experiment	Beschrijving	Opgeslagen cookies						Cookies gestuurd naar Facebook bij bezoek departijwebsite						Meegestuurde voorkeur
		datr	sb	c_user	xs	fr	oo	datr	sb	c_user	xs	fr	oo	
Opt-out door niet-gebruikers														
Optie 1: Opt-out via European Interactive Digital Advertising Alliance														
32	Opt-out via European Interactive Digital Advertising Alliance.							●						
33	(na 32) Bezoek aan pagina met social plug-in van Facebook na opt-out via European Interactive Digital Advertising Alliance.							○	▷	▷				▶
34	(na 34) Bezoek aan pagina met pixel van Facebook na opt-out via European Interactive Digital Advertising Alliance.							○	▷	▷				▶
35	(na 32) Bezoek aan hoofdpagina na opt-out, zonder registratie of aanmelding.							○	–	–	–	–	–	–
36	(na 2 en 32) Bezoek aan pagina met social plug-in van Facebook na bezoek aan hoofdpagina van Facebook waarbij cookiebanner wordt ingevuld en daaropvolgende opt-out.	○						○	▶	▷				▶
37	(na 2 en 32) Bezoek aan pagina met pixel van Facebook na bezoek aan hoofdpagina van Facebook waarbij cookiebanner wordt ingevuld en daaropvolgende opt-out.	○						○	▶	▷				▶
Optie 2: Opt-out via Amerikaanse en Canadese opt-outwebsite														
38	Opt-out via Amerikaanse en Canadese opt-outwebsite.							●						
39	(na 38) Bezoek aan pagina met social plug-in of pixel van Facebook na opt-out via Amerikaanse en Canadese opt-outwebsite.							○	▷	▷				▶
Opt-out door gebruikers														
40	Opt-in via advertentie-instellingen.	○	○	○	○	○	○	○	▶	▶	▶	▶	▶	▶
41	Opt-out voor het Facebook Audience Network.	○	○	○	○	○	○	○	▶	▶	▶	▶	▶	▶




# Facebook resources (with prior visit to Facebook)



Identifier  
cookie sent to  
Facebook?

**SameSite=None**

Name	Sample Value	Description	Expires	
<b>datr</b>	jicEVbqr3GxEtizEbP6XEG_c	<b>Browser ID and Timestamp</b>	<b>2 years</b>	<b>Yes</b>
<b>sb</b>	XMgoWzNEI74CKz6iY4CnPHz_	<b>Browser ID and Timestamp</b>	<b>2 years</b>	<b>Yes</b>
<b>fr*</b>	0cNtEQmkTRNhtsaJb.. BbNGpB.YH.AAA.0.0. BbNGpB.AWWeyC_T	<b>Advertising</b>	<b>90 days</b>	<b>Yes</b>

\* Only upon consent



# Cookie banner

FACEBOOK    

...

## Allow the use of cookies from Facebook on this browser?

We use cookies and similar technologies to help:

-  Provide and improve content on Facebook Products
-  Provide a safer experience by using information we receive from cookies on and off Facebook
-  Provide and improve Facebook Products for people who have an account

For advertising and measurement services off of Facebook Products, analytics, and to provide certain features and improve our services for you, we use tools from other companies on Facebook. These companies also use cookies.

You can allow the use of all cookies, just essential cookies or you can choose more options below. You can learn more about cookies and how we use them, and review or change your choice at any time in our [Cookie Policy](#).

### Essential cookies

These cookies are required to use Facebook Products. They're necessary for these sites to work as intended.

Only allow essential cookies

Allow essential and optional cookies






# Cookie banner

FACEBOOK    

## Het gebruik van cookies door Facebook toestaan?

Yana, bij Facebook zijn we van mening dat het personaliseren van de inhoud die je te zien krijgt een verbetering van je ervaring inhoudt. We gebruiken cookies en vergelijkbare technologieën om je relevante inhoud te tonen en om de werking van onze producten te verbeteren.

We bieden je controle over bepaalde cookies die we in en buiten Facebook-producten gebruiken voor het volgende:

-  Inhoud en services aan je verstrekken, voor je personaliseren en voor je verbeteren
-  Relevante advertenties aan je laten zien en de prestaties hiervan meten
-  Een veiligere ervaring voor jou bieden en het gebruik van onze systemen analyseren



We gebruiken tools van andere bedrijven op Facebook om advertentie- en metingsservices buiten Facebook-producten te bieden, voor analysedoeleinden, voor de levering van bepaalde functies en om onze services voor jou te verbeteren. Deze bedrijven maken ook gebruik van cookies.

Je kunt het gebruik van alle cookies toestaan of uit andere opties kiezen. We onthouden je cookievoorkeuren en passen deze toe op alle plekken waar je bent aangemeld bij Facebook, en op plekken waar je je accounts gebruikt om je aan te melden bij andere Facebook-producten. Je kunt je voorkeuren op elk moment controleren of wijzigen via je cookie-instellingen.

We verkopen je gegevens aan niemand. Lees meer informatie over cookies en hoe we deze gebruiken in ons [Cookiebeleid](#).

Meer opties

Alle cookies toestaan


## Het gebruik van cookies van Facebook toestaan in deze browser?

We gebruiken cookies om je ervaring in onze producten mogelijk te maken, te personaliseren en te verbeteren. We gebruiken ze ook voor advertenties en analyse, en om een veiligere ervaring te bieden. Je vindt meer informatie over hoe we cookies gebruiken in ons [cookiebeleid](#).

We onthouden je cookiekeuzes en passen ze toe wanneer je deze browser gebruikt.

### Essentiële cookies


Deze cookies zijn vereist voor het gebruik van Facebook-producten. Ze zijn noodzakelijk om deze sites te laten werken zoals bedoeld.



### Optionele cookies

Cookies van andere bedrijven

We gebruiken tools van [andere bedrijven](#) voor advertentie- en metingsservices buiten Facebook-producten, voor analysedoeleinden, om bepaalde functies aan te bieden en om onze services voor jou te verbeteren. Deze bedrijven maken ook



Alleen essentiële cookies toestaan

Geselecteerde cookies toestaan






# Cookie banner

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Meer opties

Alle cookies toestaan



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We gebruiken tools van [andere bedrijven](#) voor advertentie- en metingsservices buiten Facebook-producten, voor analysedoelinden, om bepaalde functies aan te bieden en om onze services voor jou te verbeteren. Deze bedrijven maken ook



Alleen essentiële cookies toestaan

Geselecteerde cookies toestaan



# Cookie banner

FACEBOOK    

...

## Allow the use of cookies from Facebook on this browser?

We use cookies and similar technologies to help:

-  Provide and improve content on Facebook Products
-  Provide a safer experience by using information we receive from cookies on and off Facebook
-  Provide and improve Facebook Products for people who have an account

For advertising and measurement services off of Facebook Products, analytics, and to provide certain features and improve our services for you, we use tools from other companies on Facebook. These companies also use cookies.

You can allow the use of all cookies, just essential cookies or you can choose more options below. You can learn more about cookies and how we use them, and review or change your choice at any time in our [Cookie Policy](#).

### Essential cookies

These cookies are required to use Facebook Products. They're necessary for these sites to work as intended.

Only allow essential cookies

Allow essential and optional cookies



# Cookie banner

For advertising and measurement services off of Facebook Products, analytics, and to provide certain features and improve our services for you, we use tools from other companies on Facebook. These companies also use cookies.

You can allow the use of all cookies, just essential cookies or you can choose more options below. You can learn more about cookies and how we use them, and review or change your choice at any time in our [Cookie Policy](#).

## Essential cookies

These cookies are required to use Facebook Products. They're necessary for these sites to work as intended.

## Optional cookies

Cookies from other companies

We use tools from [other companies](#) for advertising and measurement services off of Facebook Products, analytics, and to provide certain features and improve our services for you. These companies also use cookies.

Only allow essential cookies

Allow essential and optional cookies





EN ▼

### Manage Your Privacy

To provide the best experiences, we and our partners use technologies like cookies to store and/or access device information. Consenting to these technologies will allow us and our partners to process personal data such as browsing behaviour or unique IDs on this site. Not consenting or withdrawing consent, may adversely affect certain features and functions.

Click below to consent to the above or make granular choices, including exercising your right to object to companies processing personal data based on legitimate interest instead of consent. You can update your choices at any time by clicking on the Privacy icon in the bottom of the screen.

We use your data for:

Precise geolocation data, and identification through device scanning ▼

Personalised ads and content, ad and content measurement, audience insights and product development ▼

Strictly Necessary Cookies ▲

These cookies are necessary for the website to function and do not store personally identifiable information. They are usually set in response to user actions to enable key features like setting and maintaining logins or privacy preferences. These cookies typically can't be switched off, however, certain browsers can block or alert you about these cookies. Be aware that blocking these cookies will

[Our Partners](#)

Manage Settings

Accept All



### Responsible use of your data

We and [our partners](#) process your personal data, e.g. your IP-address, using technology such as cookies to store and access information on your device in order to serve personalized ads and content, ad and content measurement, audience insights and product development. You have a choice in who uses your data and for what purposes.

If you allow, we would also like to:

- Collect information about your geographical location which can be accurate to within several meters
- Identify your device by actively scanning it for specific characteristics (fingerprinting)

Find out more about how your personal data is processed and set your preferences in the [details section](#). You can change or withdraw your consent any time from the Cookie Declaration.

Use necessary cookies only

Allow selection

Allow all cookies



Necessary



Preferences



Statistics



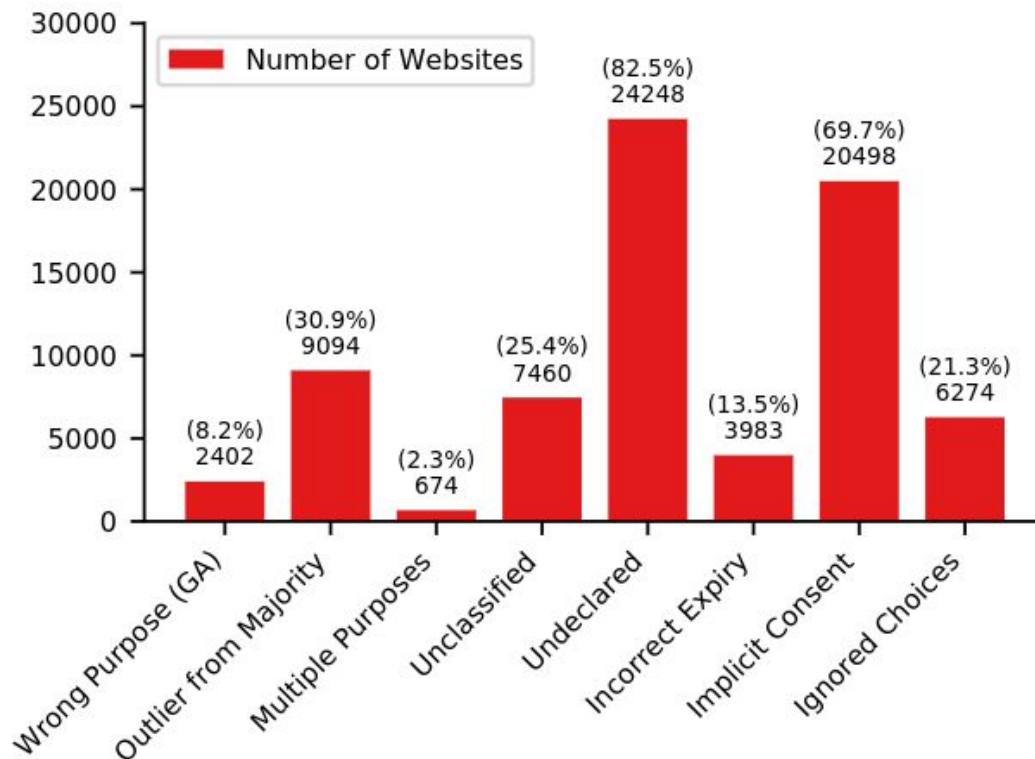
Marketing

Show details ▼

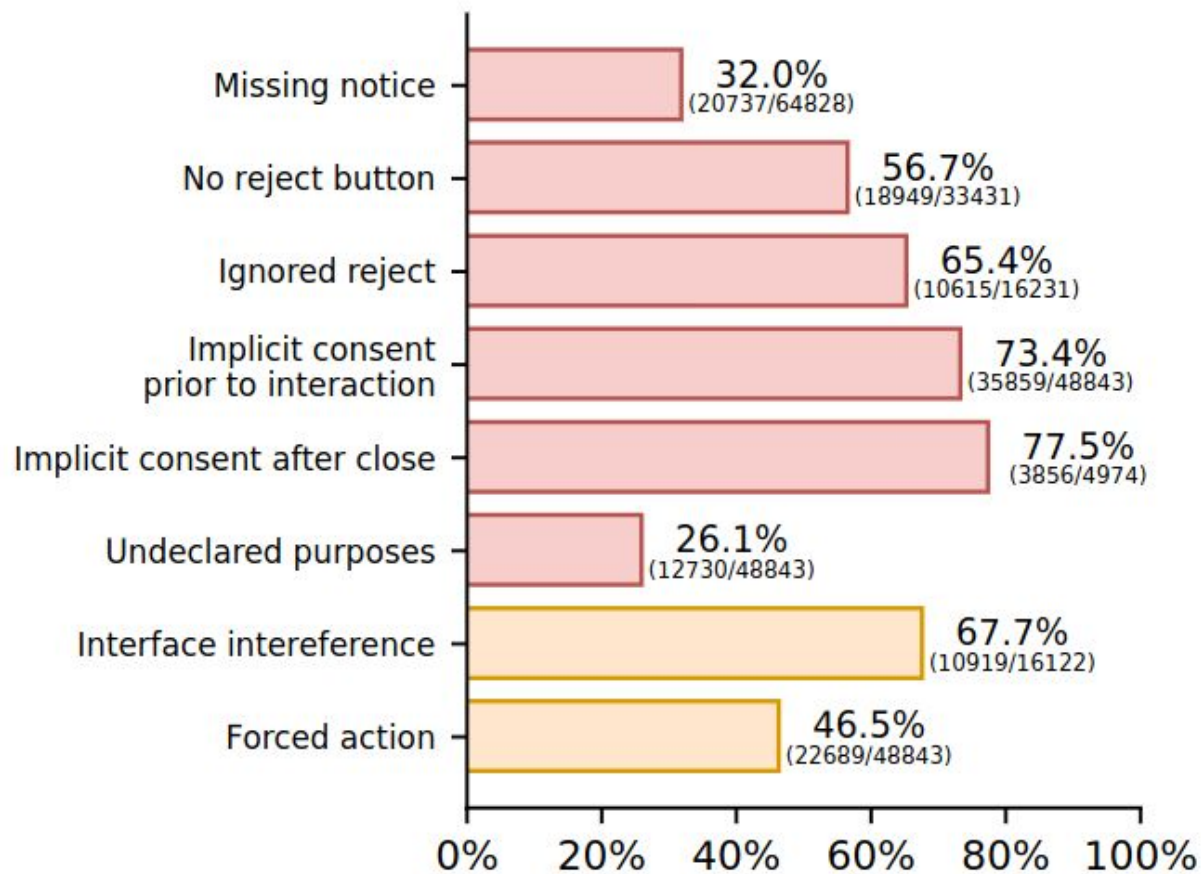


# Violations

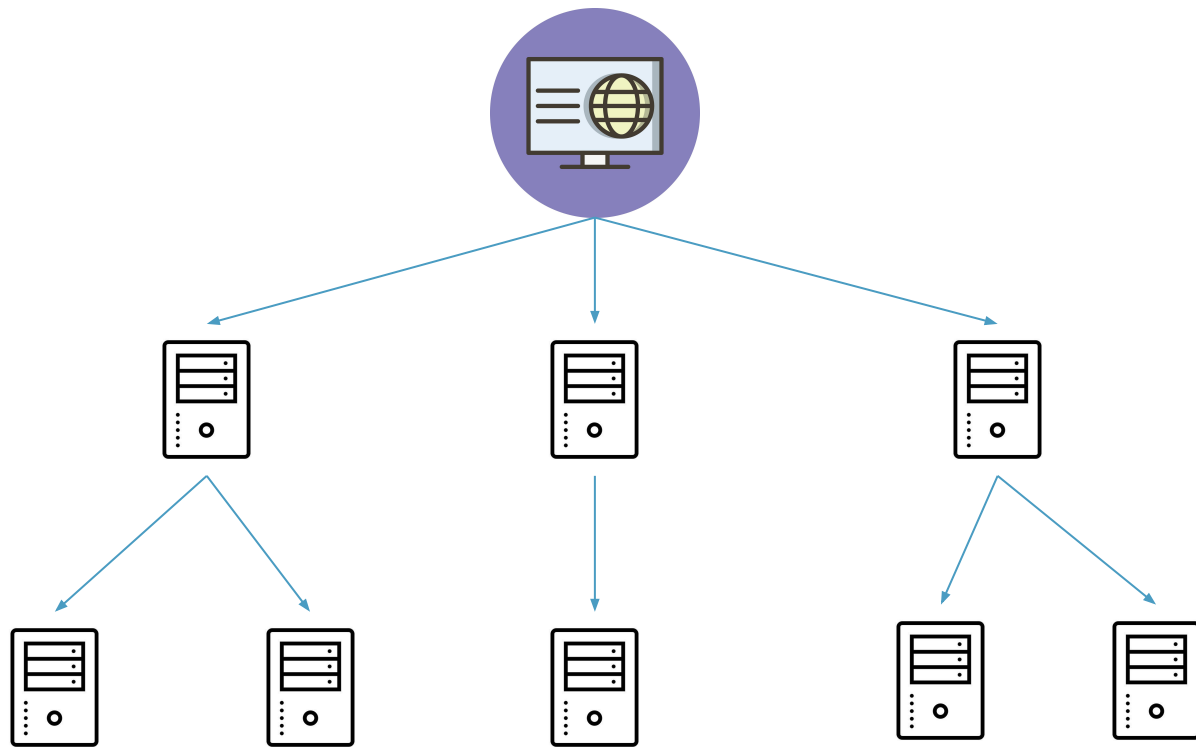
- › Falsely advertised purpose of cookie
- › 94.7% websites at least one violation



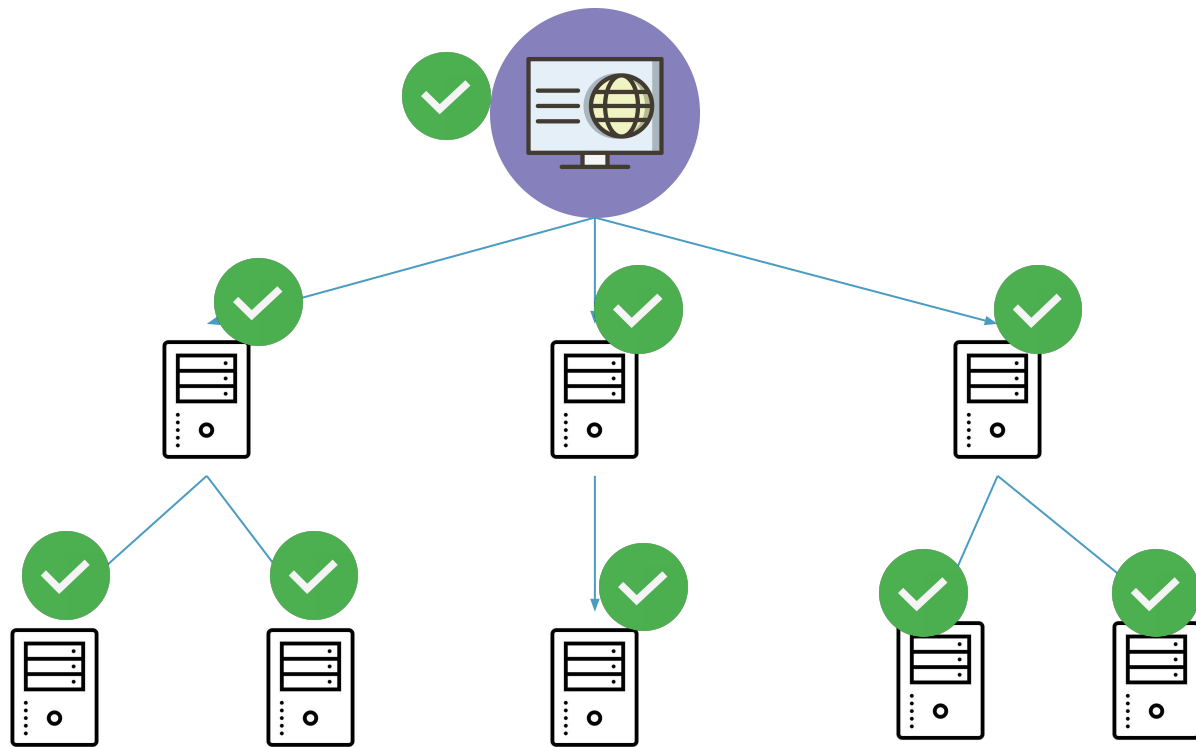




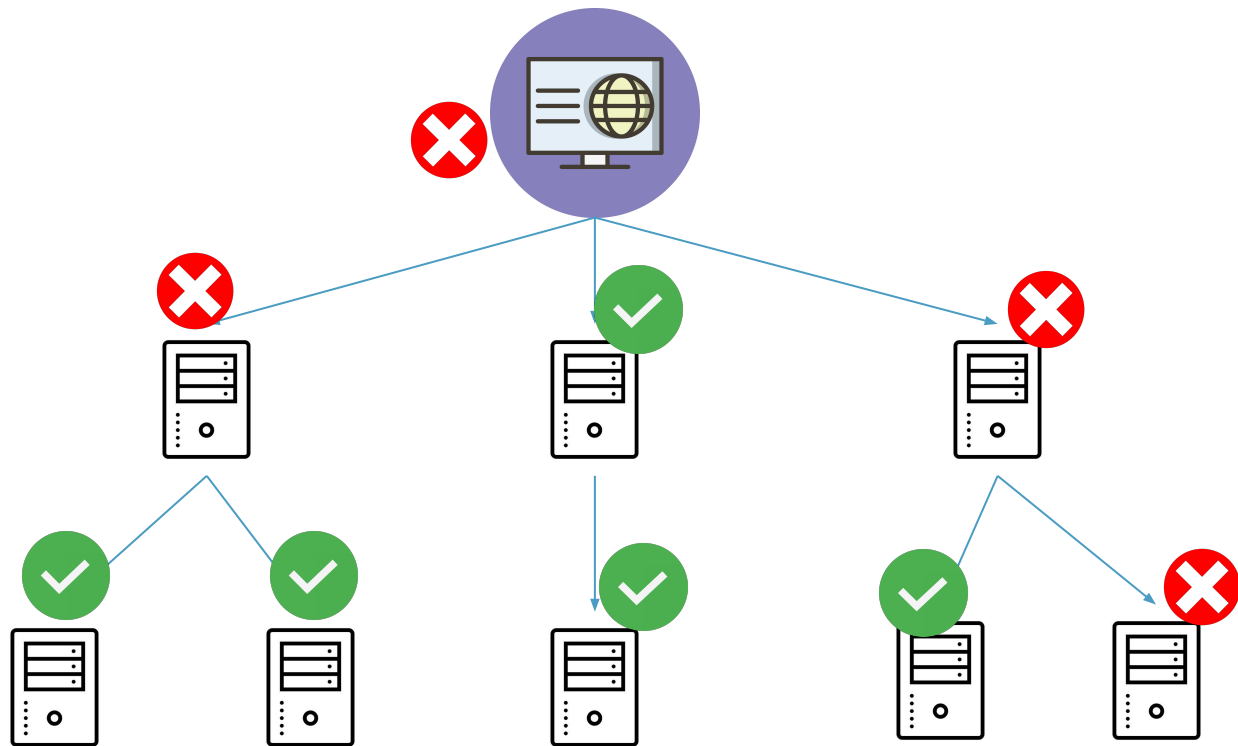














# Rejecting Consent

- › 19.87% websites make it **hard to reject**
- › 20.5% require more effort than **accept**
- › 57.5% do not delete cookies after **revocation**



Need for consent standardization



- › General ban on targeted advertising?
- › Ban on targeted advertising based on sensitive data
  - Religion, political beliefs, health, sexual orientation...
- › Ban on targeted advertising for children
- › Transparency requirements
  - Advertiser
  - Parameters used for ad
- › Ban on dark patterns



# ePrivacy regulation (~~soon?~~)

- › “where technically possible and feasible [...] consent may be expressed by using the appropriate technical settings of a software application” -> in the browser
  - Consent is enforced
  - Unambiguous
  - No dark patterns
- › Privacy signal



# Pay or consent



**Welkom bij Buienradar, hoe wil je verder gaan?**

**Premium € 6,99 / jaar**

☐ **Buienradar Premium**

Voor slechts **€ 6,99 per jaar** (€ 0,58 per maand)

- ✓ Advertentievrij en privacy veilig
- ✓ Ontvang voor min. € 40,- aan cadeaus
- ✓ 10% donatie aan Staatsbosbeheer
- ✓ Elk moment opzegbaar

**Gratis**

☐ **Met persoonlijke advertenties**

Gratis blijven gebruiken



# Pay or consent

Meta

## Facebook and Instagram to Offer Subscription for No Ads in Europe

REGULATION / POLITICS / POLICY

**Facebook and Instagram's 'pay or consent' ad model violates the DMA, says the EU**



# Article 3 GDPR. Territorial scope

1. This Regulation applies to the processing of personal data in the context of the activities of an establishment of a controller or a processor in the Union, regardless of whether the processing takes place in the Union or not.



Guidelines & Case Law ^

Recitals v

Related v



## Documents

WP29, [Update of Opinion on applicable law in light of the CJEU judgement in Google Spain](#) (2010).

## Case Law

CJEU, [Google Spain SL/Agencia española de protección de datos](#), C-131/12 (2014):

55. In the light of that objective of Directive 95/46 and of the wording of Article 4(1)(a), it must be held that the processing of personal data for the purposes of the service of a search engine such as Google Search, which is operated by an undertaking that has its seat in a third State but has an establishment in a Member State, is carried out 'in the context of the activities' of that establishment if the latter is intended to promote and sell, in that Member State, advertising space offered by the search engine which serves to make the service offered by that engine profitable.

56. In such circumstances, the activities of the operator of the search engine and those of its establishment situated in the Member State concerned are inextricably linked since the activities relating to the advertising space constitute the means of rendering the search engine at issue economically profitable and that engine is, at the same time, the means enabling those activities to be performed. (page 14)

CJEU, [Unabhängiges Landeszentrum für Datenschutz Schleswig-Holstein/Wirtschaftsakademie Schleswig-Holstein GmbH](#), C-210/16 (2018):

... where an undertaking established outside the European Union has several establishments in different Member States, the supervisory authority of a Member State is entitled to exercise the powers conferred on it by Article 28(3) of that directive with respect to an establishment of that undertaking situated in the territory of that Member State even if, as a result of the division of tasks within the group, first, that establishment is responsible solely for the sale of advertising space and other marketing activities in the territory of that Member State and, second, exclusive responsibility for collecting and processing personal data belongs, for the entire territory of the European Union, to an establishment situated in another Member State. (page 14)



## Search GDPRhub's decisions database

## Filter decisions

Decisions from...

DPA, court and CJEU

Jurisdiction

Specific DPA

Specific court

Date

From to 

Relevant laws

Relevant GDPR article(s)

Relevant EU law

Relevant national law

DPA decision

Type of decision

## Results

<b>Decision by</b>	DPA: ANSPDCP (Romania)
<b>Case number/name</b>	31.01.2024
<b>Jurisdiction</b>	Romania
<b>Relevant GDPR articles</b>	58(1)(a), 58(1)(e), 58(2)(d)
<b>Relevant national/other laws</b>	Law 190/2018
<b>Type of decision &amp; outcome</b>	Investigation → Violation Found
<b>Fine</b>	10000 RON
<b>Contributor</b>	maxinescu
<b>Summary</b>	The Romanian DPA sanctioned the local municipality of 1st district, Bucharest, €2,010.38 for the failure to comply with the requests of the DPA to provide information and obtain access to personal data and information necessary for performing its tasks, pursuant to Article 58(1)(a) and (e) GDPR.
<b>Decision by</b>	DPA: Garante per la protezione dei dati personali (Italy)
<b>Case number/name</b>	9973790
<b>Jurisdiction</b>	Italy
<b>Relevant GDPR articles</b>	5(1)(f), 9(1), 32
<b>Type of decision &amp; outcome</b>	Complaint → Upheld
<b>Parties</b>	Medical Service s.r.l. C.B. Sistemi s.r.l.
<b>Contributor</b>	carloc
<b>Summary</b>	The Italian DPA reprimanded a processor for having breached Article 5(1)(f) GDPR and Article 32 GDPR since, following a software update, the platform of a healthcare provider suffered a vulnerability and allowed logged-in patients to access other reports.



# Takeaways

- › Risks of online tracking and profiling
- › Tracking practices are changing and adapting
- › Need for standardization and enforcement
- › Privacy by design



# References

- › Detecting and Defending Against Third-Party Tracking on the Web
- › How Unique Is Your Web Browser?
- › Pixel Perfect: Fingerprinting Canvas in HTML5
- › Fingerprinting the Fingerprinters: Learning to Detect Browser Fingerprinting Behaviors
- › Privacy Preference Signals: Past, Present and Future
- › BILENKO M. and RICHARDSON M., Predictive client-side profiles for personalized advertising., Proceedings of the 17th ACM SIGKDD international conference on Knowledge discovery and data mining, 2011
- › GUHA S. Serving Ads from localhost for Performance, Privacy, and Profit., HotNets, 2009
- › TOUBIANA V., Adnostic: Privacy preserving targeted advertising, Proceedings Network and Distributed System Symposium, 2010
- › The Unwanted Sharing Economy: An Analysis of Cookie Syncing and User Transparency under GDPR
- › The Devil is in the Details: Detection, Measurement and Lawfulness of Server-Side Tracking on the Web