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## **INTERNET PRIVACY POLICIES: A COMMON SENSE APPROACH**

If you browse the web sites of the Federal Trade Commission or many state attorneys general, you will notice several press releases about enforcement actions for violation of consumer privacy laws. As a result, it is important to ensure that your privacy policies are up to muster. What follows is a common sense approach to reviewing the content of your web site privacy policy.

Recently enacted laws have made compliant privacy policies even more crucial. For example, effective July 1, 2004, any web site that offers products for sale to the citizens of California must clearly display their privacy policy and provide certain privacy disclosures.

A well written web site privacy policy should be conspicuous and contain:

- A statement that you care about your customers' privacy (not required, but helps to set the right tone for the policy)
- A disclosure about the type of Personally Identifiable Information your site collects and with whom you share the information
- The date the policy is effective
- A mechanism to allow consumers to opt out of future e-mail solicitations.
- A statement that you do not collect information from children under the age of 13 (if you do collect this information, more disclosures are required)
- A notation that you reserve the right to update your policy without providing notice to consumers
- How "cookies" may be used and a notice that cookies can be turned off (if applicable to your company)
- A disclosure that any financial information collected will be processed over a secure server

Lastly, follow your policy. Your web site privacy policy is a public policy that is easy for governmental regulators to view. The bottom line is to become informed about privacy regulations that apply to your business and then implement an effective compliance strategy.

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