

To: Our Clients and Friends

January 9, 2014

California “Do-Not-Track” Law Has Gone Into Effect, Requiring Some Websites to Revise Privacy Policy

A California statute requiring websites to revise their privacy policies to address “Do-Not-Track” went into effect January 1, 2014. The new statute requires all commercial websites and online services – including mobile applications – that collect personally identifiable information across third-party websites to disclose how they respond to the Do Not Track signal. As a result of the new statute, websites that collect information about visitors’ browsing across websites should consider the following steps to come into compliance:

- Decide whether or not to honor visitors’ Do Not Track signals (requesting that sites not collect personal information about a consumer’s activities over time and across different websites, like through advertising networks or analytic services); and disclose this in the privacy policy.
- Determine whether third parties may collect personal information about a visitor’s online activities over time and across different websites when a consumer uses the operator’s website, mobile app, or service; and disclose this practice in the privacy policy.
- If a company is a member of a self-regulatory program such as the Digital Advertising Alliance or Network Advertising Initiative, monitor the groups’ rules for changes that reflect the new legislation.
- Amend company privacy policies to specifically discuss how the company treats Do Not Track selections.

For more information, please contact [David Zetoony](#) or [Shahin Rothermel](#) in Washington, D.C., at (202) 508-6000. Bryan Cave’s Data Team has experience in writing privacy policies and advising clients in a wide range of privacy issues. To learn more about our practice, please visit our website at www.bryancave.com.