

Commission Nationale
de l'Informatique et des
Libertés (CNIL)
8, rue Vivienne
CS 30223
75083 PARIS

Paris, 3 February 2012,

Dear Mr Kohnstamm,

Thank you for your letter about Google's plans to update our privacy policies.

As you know, we met many of your counterparts in other countries in the weeks before we announced the change. We remain committed to open dialogue on this important topic, and we're happy to answer your questions about our updated privacy policy, that is publicly available on our site at www.google.com/policies/privacy/preview.

Given the misconceptions that have been spread about these changes by some of our competitors, we wanted to take this opportunity to clarify a few points.

- **Our approach to privacy has not changed.** We'll continue to focus on providing transparency, control, and security to our users. In fact, the announcement of changes to our privacy policy is a great example of our effort to lead the industry in transparency. It's been the most extensive user notification effort in Google's history – including promotions on our homepage, emails to our users, just-in-time notifications, and more – to ensure that our users have many opportunities to learn about these changes.
- **Google users continue to have choice and control.** The main change in the updated privacy policy is for users signed into Google Accounts. Individuals don't need to sign in to use many of our services including Search, Maps, and YouTube. If a user is signed in, she can still edit or turn off her search history, edit and delete her YouTube viewing history, switch Gmail chat to "off the record," control the way Google tailors ads to her interests using our Ads Preferences Manager, use Incognito mode on Chrome, or use any of the other privacy tools we offer. These privacy tools are listed at www.google.com/privacy/tools.
- **The privacy policy changes don't affect our users' existing privacy settings.** If a user has already used our privacy tools to opt out of personalized search or ads, for example, she will remain opted out.
- **Our users' private information remains private.** The updated privacy policy does not change the visibility of any information a user has stored with Google. The update is about making our services more useful for that individual user, not about making information visible to third parties.
- **We're not collecting any new or additional data about users.** Our updated privacy policy simply makes it clear that we use data to refine and improve our users' experiences on Google – whichever services they use. This is something we have already done for a long time for many of our products.
- **We are not selling our users' data.** We do not sell users' personal data, and that will not change under the updated privacy policy.



- **Our users can use as much or as little of Google as they want.** For example, a user might have a Google Account and choose to use Gmail, but not use Google+. Or she could keep her data separated with different accounts – for example, one for YouTube and another for Gmail.
- **We will continue to offer our data liberation tools.** Our users will continue to have the ability to take their information elsewhere quickly and simply (more information about data liberation is available at www.dataliberation.org).

There are two reasons why we're updating our privacy policies: to make them simpler and more understandable, and to improve the user experience across Google.

First, simplicity. Google started out in 1998 as a search engine, but since then, like other technology companies, we've added a whole range of different services. Gmail, Google Maps, Google Apps, Blogger, Chrome, Android, YouTube, and Google+ are just a few of our many services now used by millions of people around the world.

Historically when we launched (or acquired) a new service, we added a new privacy policy, or left the existing one for that service in place. This approach eventually created a wide range of policies.

In September 2010, we took a first step toward simplifying these policies by folding a dozen service-specific notices into our main Privacy Policy. But that still left more than 70 notices. So last week we announced that we've re-written our main Google Privacy Policy to make it much more readable, while incorporating most of our existing service-specific privacy notices. This now gives users one comprehensive document that outlines our privacy commitments across our services.

Regulators globally have been calling for shorter, simpler privacy policies, and we've received good feedback from several agencies since last week's announcement. For example, the Article 29 Working Party's 2004 opinion on More Harmonised Information Provisions said "Simpler notices that facilitate citizen's awareness could help improve the current levels of understanding of data protection rights and responsibilities."

The second reason is to create a better user experience. Generally speaking, the main Google Privacy Policy applies across Google, allowing data to be used generally to improve our services, unless it is limited by a specific restriction in the privacy notice for a particular service.

Most of our privacy policies have traditionally allowed us to combine information gathered in connection with one service with information from other services when users are signed into their Google Accounts. By combining information within a user's account we can improve their experience across Google.

For example, today we make it easy for a signed-in user to immediately add an appointment to her Calendar when a message in Gmail looks like it's about a meeting. As a signed-in user she can also read a Google Docs document right in her Gmail, rather than having to leave Gmail to read the document. Our ability to share information for one account across services also allows signed-in users to use Google+'s sharing feature --called "circles"-- to send directions to family and friends without leaving Google



Maps. And a signed-in user can use her Gmail address book to auto-complete an email address when she's inviting someone to work on a Google Docs document.

These are just a few examples of how we make our users' experience seamless and easy by allowing information sharing among services when users are signed into their Google Accounts.

However, our privacy policies have restricted our ability to combine information within an account for two services: Web History, which is search history for signed-in users, and YouTube, the video-sharing service we acquired in 2007. (We had not updated YouTube's original privacy policy to include Google, with the result that Google could share information with YouTube, but not vice versa.) For example, if a user is signed in and searching Google for cooking recipes, our current privacy policies wouldn't let us recommend cooking videos when she visits YouTube based on her searches – even though she was signed into the same Google Account when using both Google Search and YouTube.

This kind of simple, intuitive experience across Google benefits our signed-in users by making things easier and letting them find useful information more quickly. Indeed, we often get suggestions from users about how to better integrate our services so that they work together more seamlessly. So our updated privacy policy makes it clear in one comprehensive document that, if a user is signed in, we may combine information she has provided from one service with information from our other services. We'll treat that user as a single entity across all our services, which will mean a simpler, more intuitive Google experience.

Your letter has requested a pause while the Article 29 Working Party checks the possible consequences of the changes for our users. Your letter states that this is in the interests of ensuring that there can be no misunderstanding about Google's commitment to information rights of their users and EU citizens.

As you will know, we had extensively pre-briefed data protection authorities across the EU prior to the launch of our notification to users on 24 January 2012. At no stage did any EU regulator suggest that any sort of pause would be appropriate. Since we finished these extensive briefings, we have notified over 350 million Google account holders, as well as providing highly visible notices to all our non-authenticated users. In addition, the policy does not come into effect until 1 March 2012, as we wanted to leave more than adequate time for our users to be able to read and understand the policy before it's fully implemented.

We hope this overview of our updated privacy policy will help to address your concerns. We are happy to discuss this further with the CNIL should they want to approach us for a meeting, or to answer any written questions the Working Party may have.

Yours sincerely,

Peter Fleischer
Global Privacy Counsel
Google Inc.

Christine Coesmans Loco