

Talking Points for New York Privacy Act

Business context:

From a business standpoint, this bill is one of the more restrictive when it comes to protections proposed for regulating consumer privacy rights. This fundamentally changes the way a business can collect and use consumer data for their own purposes.

One of the biggest users of this data are ad agencies. New York City is home to the largest number of major ad agencies, including WPP, the world's largest agency group. Advertising is a powerhouse of data usage, innovation and cultural influence around the world. Every step we take is seen by millions of people around the world. Advertising agencies managed roughly \$58 BILLION in the first half of 2019 (tech crunch - <https://techcrunch.com/2019/10/21/iab-ad-report-first-half-2019/>). In 2018, agencies collectively managed \$151 Billion in ad spend (Kantar - <https://www.marketingdive.com/news/kantar-us-ad-spend-reached-151b-in-2018-a-41-jump/546725/>) in the US alone.

With this ad spend come an industry of professional, intelligent people who are actively using data collected from internet browsing, credit card purchases, location data, intelligent TV, cell phone use, purchases data from data vendors, social data, competitive data and more. Everything you do, every single step you take online and offline is tracked.

We now also have the invention and activation of facial recognition data that is designed to understand human emotions and build AI systems.

We have allowed advertising agencies and many relying industries to buy and sell this data with impunity because we have largely been trusted to “grade our own homework.” (We are mostly self-regulated.)

As a result of this we have created massively, unreliable data networks. We have given more and more power not to consumers, but to the FANG group (Facebook, Amazon, Netflix, Google). We have created a maze of walled gardens and data trails designed to influence everything from whitening your teeth to buying diamonds, to... in some cases influencing elections.

But it's not all bad. There are bright spots in this endeavor.

Advertising and relying data partners leverage strategy to help make business decisions, we spend billions and we influence so much more. We use this data to help understand what motivates you, what you like, what you don't like. The goal has always been to help clients find the right people at the right time.

Legislation designed to protect and restrict data elicits an almost universal reaction in the advertising industry – and it's not a good one.

We can change this though. We can use bills like this to help reframe the conversation we are having.

Imagine a world in which each person has ownership of their data.

Imagine a world where we are in control of what we want to share and what we don't want to share.

Imagine a world in which you have choice – you can lean in or out as much as you want. You can protect your personal information – whether that information is your searches for the latest shoe trend or if it's

something truly personal, like your search for an incurable disease. You get to decide how much you want to share.

And what happens to us in advertising? In data? Well, we get to finally realize the dream of reaching the right people at the right time.

And advertising? We get to restore our former glory and sterling reputation of being the true innovators in this space. We get to remember the vast history of media women and men who have built this industry to help spread the word about products – who have used this as a platform not for selling the next tooth whitener or snake oil – we get to lead the way in cultural data revolution, which is the true core of who we are.

When we work together to pass responsible legislation like this, we can ensure that everyone wins.