

I. Preamble: Principles Guiding App Transparency

The application developers industry, in coordination with leading privacy, civil liberties and consumer advocates, offers these discussion draft transparency screens (hereinafter “Mobile App VTS” or “VTS”) for consideration by all stakeholders in the mobile app ecosystem. These short form notices, if adopted by mobile app developers, are intended to enhance transparency about apps’ data collection and third party sharing.

This Mobile App VTS document builds on the best practices implemented by other industries and incorporates guidance from consumer experts, leading app developers and mobile User Interface designers to benefit consumers. Voluntarily providing screens to inform consumers about an app’s data collection and third party data sharing, if any, will help consumers choose which apps they wish to use and how they use them. Consistently displaying this information will help consumers compare and contrast the data practices of apps. This transparency will enhance consumer trust. Further, a voluntary model can be the foundation for continued innovation while ensuring transparency for consumers.

Apps are guided by the following principles in voluntarily implementing transparency-enhancing screens:

- App developers are committed to earning and keeping the trust of consumers as this is central to the growth and enhancement of the apps industry.
- Trust is earned through clear explanations of what each app does and through actions that are consistent with those explanations.
- Consumers should expect clear, succinct explanations of an app’s data collection and third party data sharing, if any, to carry out the functions promised by the app to consumers.
- Consumers rely on apps and hold a widely varying spectrum of attitudes towards their sharing of data with apps. Consumers’ sharing will vary with context and time, and apps should work to effectuate those choices. Simultaneously, regulators, legislators and privacy and consumer advocates recognize some consumers’ choice to share data with apps in exchange for a wide variety of tools, content, entertainment.
- Apps will evolve over time to offer fixes, enhancements, and changes to the original functionality. Apps may need to offer new functionality and/or they may need to adapt their business models. When apps’ data collection and third party data sharing evolve in material ways they must promptly and prominently update their explanations of their data collection and third party data sharing to reflect this evolution. Continued work will need to be done to help integrate the full range of fair information practices with effective methods of transparency for innovative data uses.
- Short form notices that allow participating apps to only display a subset of information must substantially enhance app transparency and consumer understanding. These notices must be designed to empower consumers to

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make informed choices about app usage that are consistent with each consumer's desires.

- Finally, while transparency is essential to building consumer trust, app developers understand that their implementation of these principles is just one aspect of satisfying consumer expectations and meeting well-understood privacy principles. App developers commit to leading their industry to develop common practices and tools to realize these fair information practices for information (these principles include access to personal information, control over storing information and sharing it with third parties. Developers believe these changes are crucial to achieving enhanced consumer trust within a framework for innovation.
- App Developers who adhere to this code of conduct and provide short form notice as described in Section II, are engaging in a best practice that significantly enhances transparency of data practices. This code is intended to demonstrate a broad consensus of the state of industry best practices for transparency. Although compliance with the code and provision of a short form notice does not guarantee that any individual developer is providing an accurate notice for their specific practices, the authors of this code believe that compliance with the standardization provided by this notice should be a compelling factor serving to limit claims that a notice is deficient.

II. Short Form Notices

Participating application developers and publishers that voluntarily implement the Mobile App VTS shall detail:

- (i) data collected from consumers; and,
- (ii) third party data sharing, if any.

These practices shall be outlined in "short form notices" that shall convey information to app consumers in a consistent manner that is designed in order to be easy for consumers to read and to understand.

Participating apps should display this information in a single screen where possible.

A. Data Elements Collected

Apps shall inform consumers when they collect data from the following categories:

- Age of User (Your age and/or date of birth)
- Biometrics (Data about your body including fingerprints, facial measurements, signatures and/or voice print)
- Contacts (Including contact list, friends, and social networking connections and/or their phone numbers, postal addresses, email addresses, text messaging addresses, and similar contact information stored on your device)

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- Data From Other Apps (Customer-specific data, even if name not associated with customer, that identifies a particular customer)
- Files Already Stored on the Device (Including, e.g., calendar, pictures, text files and video)
- Financial Information (Includes credit, bank and other customer-specific financial information including purchase history other than information collected for a purchase either within or through the app)
- Health, Medical or Therapy Information (Including health and disease management, diagnoses, insurance company information such as past and present claims, and information collected by the app that measures your health or wellness)
- Browser History and Phone or Text Log (A list of websites you've visited, or the calls or texts you have made or received)
- Location (history of where you have gone and/or precise information about where you are now)

We anticipate that the data elements to be displayed may be modified over time in response to advances of technology. App developers shall employ a mechanism that facilitates ready consumer access to expanded definitions of each data element.

B. Third Party Data Sharing

Apps shall state whether they share data with any third party entities from the following list:

- Advertising Networks (Companies that display ads to you through apps)
- Affiliated Businesses (Businesses that control, are controlled by, or are under common control with another business)
- App Developer (The computer software engineer that built the app)
- Carriers (Companies that provide mobile connections)
- Company Publishing or Sponsoring App (The company that owns, controls or sponsors the app you are using)
- Content Publishers (Producers of video, TV, music or other media entertainment)
- Data Analytics Companies (Companies that analyze how you and others use apps)
- Data Brokers (Companies that buy and sell personally identifiable information to other companies)
- Government Entities (Any sharing with the government that is not required by law)
- Other Apps (Other apps that you may or may not have a relationship with)
- Operating Systems (Software companies that power your device)
- Platforms (Networks that provide common tools and information for apps about app consumers, and a place to obtain those apps)

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- Social Networks (Companies that link individuals around common interests)

We anticipate that the third party sharing to be displayed may be modified over time in response to advances of technology. App developers shall employ a mechanism that facilitates ready consumer access to expanded definitions of each third party entity category.

Where an app is integrated with other business units within that company that perform one or more of the functions listed above, the app shall not be required to disclose that inter-company sharing.

Notwithstanding the disclosure requirement stated in this section, apps shall not be required to disclose sharing with third party entities where a contract between the app and the third party explicitly:

- (i) limits the uses of the consumer data provided by the app to the third party to services rendered to the app; and,
- (ii) prohibits the sharing of the consumer data provided by the app to the third party with subsequent third parties.

C. New types of Collection and Sharing

As new methods of collection, use and sharing continue to evolve, this Model App VTS will be updated. Any such updates will be achieved through a subsequent multistakeholder discussion process and will only occur at the request of a majority of the parties that are signatories to this VTS. To facilitate ease of use for app developers and consumers, this Model App VTS identifies well-known and common current practices. If, however, an app collects, uses or shares data that is reasonably likely to be of concern to consumers it should add these items to their disclosure.

III. Short Form Design Elements

The model short form notices provided in Appendix 1 to this document present potential designs for mobile app transparency. Given the different screen sizes, form factors, User Interface (“UI”) options and range of sensors available on devices, these specific implementations may vary. New methods of data collection, new uses, and new types of devices and sensors are likely to be available to consumers in the near future, requiring updates to these forms. To be compliant with this Mobile App VTS, app developers must ensure the following are implemented consistent with the design of the app:

- A. Data Elements Described in II.A are listed
- B. Third Party Sharing described in II.B is described
- C. New Types of Collection and Sharing as described in II.C
- D. Items A, B and C to be provided as a list, with items A and B visually separated from each other.

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- E. Text and font shall be distinct so as to easily stand out from the page background.

We anticipate that some developers will pursue the option of providing notice in multiple languages. If so, these forms are adaptable to that option, which we encourage.

IV. Linkage to Data Usage, Terms of Use and/or Long Form Privacy Policies

In addition to implementing short form notices, participating app developers and publishers shall provide ready access for consumers to each participating app's data usage, terms of use, or long form privacy policy where legally required. These links should include explanations of how consumers may request deletion of their data collected by the app, if such deletion is available.