

Comments to the
California Office of the Attorney General

Notice of Fourth Set of Modifications
to Proposed Regulations under
The California Consumer Privacy Act

Submitted via Email to PrivacyRegulations@doj.ca.gov

December 28, 2020

On Behalf of the Following Organizations:



The “Do Not Sell My Personal Information” Icon Will Help Ensure That Californians Are Made Aware of Their Privacy Rights.

The undersigned organizations sincerely appreciate your ongoing efforts to establish a workable, standardized icon to signal to consumers their right to opt-out of the sale of their personal information under the California Consumer Privacy Act.

The proposed icon is an improvement on the icon recommended in earlier drafts of the regulations, and more clearly conveys the presence of privacy choices. Testing by Professor Lorrie Faith Cranor and the CyLab Security and Privacy Institute at Carnegie Mellon University demonstrated that any icon divorced from an accompanying tagline is likely to be misinterpreted by consumers.¹ This icon and the “Do not sell my personal information” tagline will help ensure that Californians are made aware of their privacy rights.

Condensing the universe of concepts associated with privacy, choice and specifically the sale of personal information to a single, standardized icon is a monumental challenge. In responding to the issues we've raised in previous comments, your Office has demonstrated a commitment to developing workable solutions to the most difficult policy areas of the California Consumer Privacy Act. We remain hopeful that, despite the unavoidable potential for this icon to be misconstrued, these regulations will build broad public awareness and help make the privacy-choices icon iconic.

Signed:

American Civil Liberties Union of California

Common Sense Kids Action

Electronic Frontier Foundation

Privacy Rights Clearinghouse

¹ Cranor, *et al.*, CCPA Opt-Out Icon Testing – Phase 2, p.5 (May 28, 2020).