Cookie Notice

Hello! So you're from Europe and you've landed on yet another cookies consent page – welcome! The author of this notice is also based in Europe and, like you, has waded through more cookies notices in the past few months than she cares to remember. Since we have to explain our cookies to you anyway, and we like to blog about European data protection law, we thought we might look at the cookies consent phenomenon a bit more broadly . . . .

How did I end up here?

The fact that you are here means that we have reason to think that you are viewing our website from Europe (more on geolocation later), so we need to ask for your consent to our cookies. (Yep, we really do. The law says so. We'll explain, we promise.) Or you just might be the curious sort from somewhere else and clicked on our cookies notice to find out what goes on behind the scenes on our website. (Cookies groupies are welcome too!)

If I see one more cookies consent . . .

If you are from Europe and you've been surfing the web after 25 May 2018, you already know the drill. There you are, just trying to get some information from the web, and practically every website makes you click through a bunch of gobbledygook about cookies before you can read the stuff you came for. Although you've noticed that some websites just have a banner (just like in the pre-GDPR days) that says if you use the website, you are accepting cookies. And some US websites just won't let you in at all!

Why are we being subjected to all of this?

It all comes down to the GDPR's[1] new consent standard being applied to the old cookies rules under the EU law that's known as the ePrivacy Directive[2]. Ever since 2009, it's

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[1] The GDPR is the General Data Protection Regulation, so-called because the full title is a mouthful: REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC. But you knew that, didn't you?

[2] The cookies consent requirement was sharpened up in 2009 by the DIRECTIVE 2009/136/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 November 2009 amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws. Now *that's* a title.

been the law that consent is required prior to placing data on a user's device. However, many companies were satisfied with implied consent – such as a discreet little cookies banner that told people that cookies were in use, and said that if users continued to use the site, that meant that the users consented to cookies. As of 25 May 2018, that approach no longer works, because the consent required to place cookies now needs to meet the GDPR's standard: Consent isn't valid unless it is a "freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her."

So we need to make sure you are informed about our cookies and that you do something affirmative to demonstrate that you agree with our using cookies. (Except for "strictly necessary" cookies, that is.) Oh, and now organizations face the risk of huge (fantastically huge) fines if they breach EU data protection laws, so taking a flyer on implied consent is a less popular choice these days.

Hence cookies opt-ins have sprung up like mushrooms.

Our cookies dashboard explains what cookies we would like to set if you give your consent. Of course, we don't request your consent for cookies that are necessary to display content that you have requested or to provide other function that you have requested while interacting with our site.

You can always revoke your consent by visiting the dashboard again. Another option is to change your web browser settings to reject cookies. You should be able to find out how to do this under the "settings" (or "advanced settings") menu in your browser. If the information is tough to find, try using your favorite search engine to look up how to reject cookies using your particular browser. One tip: If you set your web browser to reject all third party cookies, the result may be that you can't opt out of some cookies because the opt-out is recorded in a cookie!

For more information on cookies generally (in a range of European languages) and how to opt out of many common cookies (which are not necessarily used on our website), have a look at http://www.youronlinechoices.com/.

What do our cookies do?
The answer depends on the category of the cookie. There's more information in our cookies dashboard, but here's a summary of the categories we use and what the cookies do:

Necessary Cookies. We use some cookies to provide the essential functions of our site, such as displaying content or making web forms work (such as when you request information from us via the site). For example, we are required by EU law to request consent from EU users to the cookies described below, so we use geolocation information (based on truncated IP addresses) to figure out which users are in the EU and a cookie to record whether or not the user gave consent. The cookie that records whether or not the EU user has given consent is a necessary cookie.

Functional Cookies Functional cookies make things work better on our site, but they aren't strictly necessary to display content or make the site work, so we request your consent to use them. If you don't consent, some features on the site may not work, or may not be as slick as they otherwise would be.

Analytical Cookies. These cookies let us gather and analyze aggregate data, which means that information about your use is combined with lots of other users and analyzed without identifying any individual. We use this information to determine what browsers our users tend to use (so we can optimize the site), which parts of our site are most useful to users, and generally to improve our site. The analytical cookies that we use are provided by Google Analytics and other service providers as listed on our cookies dashboard.

By the way, we do not currently use marketing cookies.

So that's us and cookies. But by the way, cookies aren't the end of the story.
Many websites use additional technologies to recognize (and sometimes track) users, including pixel tags, beacons and device fingerprinting. What are these mysterious technologies? Pixel tags are tiny, essentially invisible images (one pixel in size) that allow someone to determine when a web page has been loaded or an e-mail has been opened. Beacons come in different flavors, but the basic idea is that a beacon causes a device to emit a signal that can be picked up by other devices in the vicinity. As one example, ultrasound beacons use a high-pitched audible signal that a device emits when a web page is loaded – the other devices around you can detect it, but you can't hear it. (Dogs, apparently, might. Or maybe that's an internet urban myth.) Device fingerprinting involves "reading" information about your device (like the IMEI number of a phone, which is a unique 15-digit number), your browser settings, and so on, to distinguish one device from all others.

These technologies are interesting (not the least, from a privacy perspective) but our site doesn't use these technologies. We thought you might like to know about them, because the EU's cookies rules also extend to these technologies.

Questions or concerns?
If you have any questions or concerns about this Cookies Notice or the cookies on our website, please contact us using the information provided in our **GDPR Privacy Notice**.