

Instructions for opting out of sale: TikTok

The California Consumer Privacy Act (CCPA), which the legislature passed in 2018, is now in effect. It ensures companies offer consumers the rights to access, delete, and stop the sale of their personal information. Consumers can exercise these rights online, in person, or by phone if a company has a physical location.¹

This Data Privacy Day (1/28), we—as privacy advocates—encourage you to kick the tires of the CCPA with your own requests, to find out how companies inform consumers about these rights. We hope you consider how California could again take the lead in protecting consumer privacy with laws that build on the CCPA's foundation.

If you or your constituents believe a business isn't complying with the law, you can file a complaint with the California Attorney General's office, at https://www.oag.ca.gov/consumers or by emailing PIU@doj.ca.gov.

TikTok is a social media network owned by the startup ByteDance, which boasts at least than 1 billion users worldwide.² It is particularly popular among teenagers. People under the age of 16 have additional rights under the CCPA.

Here's how to exercise your CCPA rights with TikTok:

TikTok, despite stating in its privacy policy that it does collect information, does not at this time have a link for Californians to exercise their CCPA rights to access, delete or opt out of the sale of their information. It also does not reference the CCPA in its "Privacy Policy for Younger Users."

Common Sense Media, co-sponsors of the CCPA, has created the attached worksheet that TikTok users can download, fill out, and send to the company either electronically or by mail to the company to exercise their CCPA rights.

- 1. Fill out the worksheet for each member of your family that you wish to obtain, delete, or restrict the sale of data about.
- 2. Send the request form to the address identified by Common Sense Media.
- 3. Wait for your information to be sent by mail. You can expect to get confirmation from businesses you contacted that they received your request within 10 days. Those businesses are required to send you a response for the rights you requested within 45 days.

CCPA provides vital rights to Californians that should be easy to access, easy to request, and easy to exercise. TikTok is just one of thousands of companies that should comply with the CCPA, and it requires consumers to jump through unnecessary hoops to exercise their rights.³ As we head into a new legislative session, we ask that the Legislature work with us to advance new laws that build on these important rights, and ensure that every Californian has the privacy protection and rights enshrined in our state's constitution.

For templates and instructions on making CCPA requests to other companies, please visit Common Sense Media: https://www.commonsensemedia.org/ccpa.

bytedance-users/index.html

¹ Privacy Rights Clearinghouse, "Exercising Your California Consumer Privacy Act Rights" <u>https://privacyrights.org/resources/exercising-your-california-consumer-privacy-act-rights</u>; "California Consumer Privacy Act Basics" <u>https://privacyrights.org/resources/california-consumer-privacy-act-basics</u> ² Sherisse Pham, CNN, "The company that owns TikTok now has one billion users and many are outside China," https://www.cnn.com/2019/06/20/tech/tiktok-

³ Standardized Regulatory Impact Assessment: California Consumer Privacy Act of 2018 Regulations,

 $http://www.dof.ca.gov/Forecasting/Economics/Major_Regulations/Major_Regulations_Table/documents/CCPA_Regulations-SRIA-DOF.pdf$

Consumer Request: Do Not Sell My TikTok Data

CONTACT INFORMATION

To:	TikTok Inc.			
	Name of Company			
Attention	TikTok Legal Department			
	Contact Name			
Address:	10100 Venice Blvd			
	Street Address			
	Suite 401			
	Street Address Line 2			
	Culver City, CA, 90232			
	City, State, ZIP Code			
Email:	privacy@tiktok.com			
Lindii.	Company Email			
Dear <u>TikTo</u>	: COMPANY INFORMATION K Inc. of Company	representative:		
	Gompany			
My name is	Name of Consumer	("Consume	er") and this is a verifiable co	onsumer request to exercise
Consumer's	privacy rights from TikTok Ir		("Company"), under th	e California Shine the Light Act
("Shine the	Light") and the California Con	sumer Privacy Act	(CCPA). Personal informat	ion was provided by Consumer to
Company fo	r TikTok Product Name	located at	www.tiktok.com URL of Company	("Product"). Your Company
has been id		at does business		d has a business relationship
with Consur	ner as a customer for purpose	es of Shine the Lig	ht, and meets one or more	of the following requirements
under the C	CPA:			
1. Has annual gross revenues greater than \$25 million per year.				

- 2. Annually buys, receives, sells, or shares the personal information of more than 50,000 consumers, households, or devices for commercial purposes.
- 3. Derives 50 percent or more of its annual revenues from selling consumers' personal information.

SECTION 2: CONSUMER INFORMATION

Name:

First/Given Name of Consumer

Last/Family Name of Consumer

Alias:

Alias or Nickname of Consumer

Email:

Email Address for Consumer

Account username:

Login or Username for Consumer

Phone:

Phone Number for Consumer

Mailing address:

Consumer's Mailing Address: Street, City, State, ZIP Code

SECTION 3: CONSUMER REQUEST

- 1. Company shall respond to the following Consumer request to exercise their privacy rights under the California Shine the Light Act and the California Consumer Privacy Act (CCPA).
- 2. Company shall disclose to Consumer the information requested from the following privacy rights upon receipt of this verifiable request from Consumer.

SECTION 4: RIGHT TO KNOW

- 1. Company shall disclose to Consumer, what categories of personal information has been collected about Consumer and the purposes for which the categories of personal information is used.
- Company shall disclose to Consumer, what categories of personal information has been disclosed about Consumer for a business purpose, or if the Company has not disclosed Consumer's personal information for a business purpose, it shall disclose that fact.
- 3. Company shall disclose to Consumer, the categories of personal information that the Company sold about Consumer and the categories of third parties to whom the personal information was sold, by category or categories of personal information for each third party to whom the personal information was sold.
- 4. Company shall disclose to Consumer, the categories of third party sources from which personal information is collected about Consumer.
- 5. Company shall disclose to Consumer, the categories, names, and addresses of the third parties that received personal information of Consumer.
- 6. Company shall disclose to Consumer, the business or commercial purpose for collecting and/or selling personal information of Consumer.

SECTION 5: RIGHT TO OPT OUT OF DIRECT MARKETING

1. Company shall immediately cease and desist disclosing any personal information of Consumer to any third party company for their direct marketing purposes.

SECTION 6: RIGHT TO OPT OUT OF SALE

 Company shall immediately cease and desist selling all the personal information about Consumer to any third party companies, and Company shall inform any third party to cease and desist selling any personal information about Consumer that has been sold to the third party by the Company within 90 days prior to Consumer's request.

SECTION 7: RESPONSE TO CONSUMER

- 1. Company shall respond to Consumer at the email address and/or mailing address provided above within the specified time period of 30 days for privacy rights exercised under the Shine the Light Act.
- Company shall respond to Consumer at the email address and/or mailing address provided above within the specified time period of 45 days for privacy rights exercised under the California Consumer Privacy Act (CCPA).
- 3. If Company representative does not normally deal with these type of requests, please pass this letter to your Data Protection Officer, legal department, or relevant staff member.

Sincerely,

 Sign here:
 /S/
 Date:

 Consumer
 Month, Day, Year

I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document. This request template was generated by Common Sense. Common Sense provides this standard request template for use by the general public for research and education purposes only. The accuracy, completeness, or adequacy of the content provided or results derived from submission of the request is not warranted or guaranteed. Further information about this process is available at: www.commonsense.org/donotsell.

SECTION 8: SPECIFIC INSTRUCTIONS

This form is intended for all consumers, which includes teens 13 and above, and adults 18 and above.

Contact Information

You must fill out the company name, department, mailing address, and/or email address to indicate where to send your form. To help make the process of exercising your privacy rights easier, we provide the email and/or mailing address contact information for some of the most popular companies. These companies were selected because consumers and families likely already have accounts with these companies, and families would most likely want to send these companies their opt-out request. For more information about how to find a company's contact information, visit http://www.commonsense.org/donotsell.

Section 1

You must enter your first and last names and also include the company name, product name (if different from the company name), and the website URL of the online service or app store website URL on these lines; do not leave these lines blank.

Section 2: Line 1–Line 7

You must enter your first and last names, email address, and other account information on these lines; do not leave these lines blank. The name, email address, and contact information provided should match the identifying information maintained by the company so they can process your request.

SECTION 9: WHERE TO SEND THE COMPLETED FORM

Please follow the steps below before you submit your form to a company to exercise your privacy rights. All personal information you provide to the company in connection with the company's verification of your request can only be used for the purposes of verification.

Actions you need to take now:

- 1. Sign and date your form. You may sign the digital document with a). your conformed or "slash signature" indicated as "/s/ John Doe," b). a scanned image of your ink signature, c). your digital signature inserted from another application, or d). a wet signature with a pen if sent by postal mail.
- 2. On the form, include your first and last names, email address, and other account information for the company to be able to verify your identity and respond to your verifiable consumer request. **DO NOT** provide any password information or any additional sensitive personal information such as a state driver's license number, passport number, or other government-issued identification.
- 3. Address the form to the name of the Company, their email address, and/or the mailing address of the company that you would like to send the request to, to exercise your privacy rights.
- 4. Send your signed form to the company using one of the methods below:
 - To the company's email address
 - To the company's mailing address

- Once a business receives and reviews your form, they should respond to you and provide the information you requested and respect the privacy choices you made.
- You can expect to get confirmation from businesses you contacted that they received your request within 10 days. Those businesses are required to send you a response for the rights you requested within 45 days. Further information about this process is available at www.commonsense.org/donotsell.

SECTION 10: IMPORTANT NOTICES

The following citations refer to their respective sections above:

1.0. California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.140(c)(1)(A)-(C), 1798.140(y).

3.1. California Shine the Light Act, Cal. Civ. Code § 1798.83, and the California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.100 et. seq.

3.2. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.110(b), 1798.115(b).

4.1. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.100(a)-(b), 1798.110(a)(1), 1798.115(a)(1), 1798.140(o)(1)(B); See also Shine the Light Act, Cal. Civ. Code § 1798.83(a)(1).

4.2. See California Consumer Privacy Act (CCPA), Cal. Civ. Code § 1798.115(a)(3), 1798.115(c)(2).

4.3. See California Consumer Privacy Act (CCPA), Cal. Civ. Code § 1798.115(a)(2), 1798.115(c)(1).

4.4. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.110(a)(2), 1798.140(w).

4.5. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.110(a)(4), 1798.140(v), 1798.140(w); See also Shine the Light Act, Cal. Civ. Code § 1798.83(a)(2).

4.6. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.110(a)(3), 1798.140(d), 1798.140(t)(1).

5.1. See Shine the Light Act, Cal. Civ. Code § 1798.83(c)(2).

6.1. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.115(d), 1798.120(a), 1798.135(a)(1),(2)(A)-(B), 1798.140(o)(1)(A)-(K), 1798.140(t)(1).

7.1. Shine the Light Act, Cal. Civ. Code § 1798.83(b)(C).

7.2. California Consumer Privacy Act (CCPA), Cal. Civ. Code § 1798.130(a)(2).

8.0. California Consumer Privacy Act (CCPA), Cal. Civ. Code § 1798.130(a)(7).



Instructions for Exercising CCPA Rights: Experian

The California Consumer Privacy Act (CCPA), which the legislature passed in 2018, is now in effect. It ensures companies offer consumers the rights to access, delete, and stop the sale of their personal information. Consumers can exercise these rights online, in person, or by phone if a company has a physical location.¹

This Data Privacy Day (1/28), we—as privacy advocates—encourage you to kick the tires of the CCPA with your own requests, to find out how companies inform consumers about these rights. We hope you consider how California could again take the lead in protecting consumer privacy with laws that build on the CCPA's foundation.

If you or your constituents believe a business isn't complying with the law, you can file a complaint with the California Attorney General's office, at https://www.oag.ca.gov/consumers or by emailing PIU@doj.ca.gov.

Experian is a consumer credit reporting agency and one of the three leading credit bureaus in the United States. It is also one of the largest data brokers in the country. Through its subsidiaries, it sells information to data analytics, marketing and healthcare firms, as well as to other data brokers.²

Here's how to exercise your CCPA rights with Experian:

- 1. Head to Experian.com
- 2. Look for the heading "California Data Privacy" and click on the "Do Not Sell My Information" link. You will find it at the bottom of the page, below all descriptions of Experian's products, and just about a link pointing to the company's app.
- 3. Once you follow that link, read the description of CCPA rights and click on the "Online Portal" link.
- 4. This third page will ask you to fill out the information to verify your identity: first and last name, social security number, date of birth, address, phone number and email address.
- 5. Answer confirmation questions about your identity, referencing other information Experian has about you as an individual that can be used as verification, including but not limited to past addresses, past workplaces, past lenders, or the last four digits of your primary checking account.
- 6. Check which rights you would like to exercise.
 - a. If you selected the right to delete, confirm that you do, in fact, want to delete your information. The company includes an <u>ominous warning</u>³—without providing more context about why it believes consumers should not exercise this right—that "Data deletion is permanent and may cause negative consequences that can affect you. This will not delete your credit report data."
- 7. Write down your confirmation number, and follow prompts to choose how you want your information delivered: electronically or physically.
- 8. Check your email and/or note your confirmation number so you can check in on the request later.

CCPA provides vital rights to Californians that should be easy to access, easy to request, and easy to exercise. Experian is just one of thousands of companies that should comply with the CCPA, and its process—while relatively clear— is nevertheless complicated.⁴ As we head into a new legislative session, we ask that the Legislature work with us to advance new laws that build on these important rights, and ensure that every Californian has the privacy protection and rights enshrined in our state's constitution.

For templates and instructions on making CCPA requests to other companies, please visit Common Sense Media: https://www.commonsensemedia.org/ccpa.

¹ Privacy Rights Clearinghouse, "Exercising Your California Consumer Privacy Act Rights" <u>https://privacyrights.org/resources/exercising-your-california-consumer-privacy-act-rights;</u> "California Consumer Privacy Act Basics" <u>https://privacyrights.org/resources/california-consumer-privacy-act-basics</u>

² Steven Melendez and Alex Pasternak, Fast Company, "Here are the data brokers quietly buying and selling your personal information,"

https://www.fastcompany.com/90310803/here-are-the-data-brokers-quietly-buying-and-selling-your-personal-information.

³ Electronic Frontier Foundation, "Designing Welcome Mats to Invite User Privacy" https://www.eff.org/deeplinks/2019/02/designing-welcome-mats-invite-userprivacy

⁴ Standardized Regulatory Impact Assessment: California Consumer Privacy Act of 2018 Regulations,

 $http://www.dof.ca.gov/Forecasting/Economics/Major_Regulations/Major_Regulations_Table/documents/CCPA_Regulations-SRIA-DOF.pdf$



The California Consumer Privacy Act and Online Advertising

The new California Consumer Privacy Act (CCPA) gives California consumers much-needed online privacy protections—including the right to opt out of the sale of their personal data to other companies. However, many companies do not appear to be taking the CCPA very seriously. Lawmakers should refine the CCPA so consumers can effectively control their data.

• The CCPA was intended to apply to online advertising. A principal purpose of the CCPA is to give consumers the ability to opt out of the sale of their personal information, including for online advertising. For example, while most state statutes cover only a handful of types of personal information, the privacy provisions in the CCPA cover a broad swath of consumer data, including information tied to a device, to give consumers control over the data used for advertising purposes. Similarly, the CCPA has an inclusive definition of the "sale" of information, to help ensure that consumers can opt out of data sharing for online advertising.

The concerns that the CCPA sought to address emerged as online tracking practices grew increasingly invasive. Consumers have few defenses. Existing self-regulatory controls are weak and <u>ridden with exceptions</u>. Not only are these practices an invasion of privacy, but can exacerbate historic inequalities along racial and ethnic lines, such as when black and Hispanic consumers <u>are not shown ads</u> for affordable housing. Furthermore, industry doesn't need to collect this data order to remain financially sustainable. There is <u>increasing evidence</u> that contextual advertising—in which a company shows ads that are similar in subject and content to the site the consumer is viewing—performs just as well, if not better, than those relying on privacy-invasive techniques.

• The CCPA should be refined to ensure it works for consumers. Ad tech companies <u>claim</u> that the sharing of data between retailers and advertising platforms doesn't fall under the definition of sale, and are abusing the service provider exemption in order to deliver ads -- suggesting that hundreds of unknown companies may be considered "service providers" of a publisher for any given ad impression. The following clarifications to the definition of sale and the definition of business purpose will address this imbalance and will ensure that a service provider cannot take data and use it in a completely alien context.

.140 (t) (1) "Sell," "selling," "sale," or "sold," means selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a consumer's personal information by the business to another business or a third party for monetary or other valuable consideration, or otherwise for a commercial purpose.

.140 (d) (5) Performing services on behalf of the business or service provider within the context of a consumer's direct contact with a business, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing advertising or marketing services, providing analytic services, or providing similar services on behalf of the business or service provider.

We recommend this small clarification to the CCPA to ensure that consumers have the meaningful opportunity to opt-out of the sale of their data to third parties.

Consumer Request: Do Not Sell My Data

CONTACT INFORMATION

To:					
	Name of Company				
Attention:					
	Contact Name				
Address:					
	Street Address				
	Street Address Line 2				
	City, State, ZIP Code				
Email:					
	Company Email				
Subject: F	Privacy Rights Request				
SECTION	I 1: COMPANY INFORMATION				
Dear Nam	ne of Company	representative:			
My name	is Name of Consumer	("Consumer") and this is	a verifiable consumer request to exercise		
Consume	r's privacy rights from	· · ·	any"), under the California Shine the Light Act		
Name of Company ("Shine the Light") and the California Consumer Privacy Act (CCPA). Personal information was provided by Consumer to					
Company		located at	("Product"). Your Company		
Product Name URL of Company has been identified as a for-profit entity that does business in the state of California, and has a business relationship					
with Cons	sumer as a customer for purposes	s of Shine the Light, and meets	s one or more of the following requirements		
under the	CCPA:				
1. Has annual gross revenues greater than \$25 million per year.					

- 2. Annually buys, receives, sells, or shares the personal information of more than 50,000 consumers, households, or devices for commercial purposes.
- 3. Derives 50 percent or more of its annual revenues from selling consumers' personal information.

SECTION 2: CONSUMER INFORMATION

Name:

First/Given Name of Consumer

Last/Family Name of Consumer

Alias:

Alias or Nickname of Consumer

Email:

Email Address for Consumer

Account username:

Login or Username for Consumer

Phone:

Phone Number for Consumer

Mailing address:

Consumer's Mailing Address: Street, City, State, ZIP Code

SECTION 3: CONSUMER REQUEST

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- 2. Company shall disclose to Consumer the information requested from the following privacy rights upon receipt of this verifiable request from Consumer.

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- 3. Company shall disclose to Consumer, the categories of personal information that the Company sold about Consumer and the categories of third parties to whom the personal information was sold, by category or categories of personal information for each third party to whom the personal information was sold.
- 4. Company shall disclose to Consumer, the categories of third party sources from which personal information is collected about Consumer.
- 5. Company shall disclose to Consumer, the categories, names, and addresses of the third parties that received personal information of Consumer.
- 6. Company shall disclose to Consumer, the business or commercial purpose for collecting and/or selling personal information of Consumer.

SECTION 5: RIGHT TO OPT OUT OF DIRECT MARKETING

1. Company shall immediately cease and desist disclosing any personal information of Consumer to any third party company for their direct marketing purposes.

SECTION 6: RIGHT TO OPT OUT OF SALE

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SECTION 7: RESPONSE TO CONSUMER

- 1. Company shall respond to Consumer at the email address and/or mailing address provided above within the specified time period of 30 days for privacy rights exercised under the Shine the Light Act.
- Company shall respond to Consumer at the email address and/or mailing address provided above within the specified time period of 45 days for privacy rights exercised under the California Consumer Privacy Act (CCPA).
- 3. If Company representative does not normally deal with these type of requests, please pass this letter to your Data Protection Officer, legal department, or relevant staff member.

Sincerely,

Sign here: /S/	Date:
Consumer	Month, Day, Year

I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document. This request template was generated by Common Sense. Common Sense provides this standard request template for use by the general public for research and education purposes only. The accuracy, completeness, or adequacy of the content provided or results derived from submission of the request is not warranted or guaranteed. Further information about this process is available at: www.commonsense.org/donotsell.

SECTION 8: SPECIFIC INSTRUCTIONS

This form is intended for all consumers, which includes teens 13 and above, and adults 18 and above.

Contact Information

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You must enter your first and last names, email address, and other account information on these lines; do not leave these lines blank. The name, email address, and contact information provided should match the identifying information maintained by the company so they can process your request.

SECTION 9: WHERE TO SEND THE COMPLETED FORM

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Actions you need to take now:

- 1. Sign and date your form. You may sign the digital document with a). your conformed or "slash signature" indicated as "/s/ John Doe," b). a scanned image of your ink signature, c). your digital signature inserted from another application, or d). a wet signature with a pen if sent by postal mail.
- 2. On the form, include your first and last names, email address, and other account information for the company to be able to verify your identity and respond to your verifiable consumer request. **DO NOT** provide any password information or any additional sensitive personal information such as a state driver's license number, passport number, or other government-issued identification.
- 3. Address the form to the name of the Company, their email address, and/or the mailing address of the company that you would like to send the request to, to exercise your privacy rights.
- 4. Send your signed form to the company using one of the methods below:
 - To the company's email address
 - To the company's mailing address

- Once a business receives and reviews your form, they should respond to you and provide the information you requested and respect the privacy choices you made.
- You can expect to get confirmation from businesses you contacted that they received your request within 10 days. Those businesses are required to send you a response for the rights you requested within 45 days. Further information about this process is available at www.commonsense.org/donotsell.

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3.1. California Shine the Light Act, Cal. Civ. Code § 1798.83, and the California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.100 et. seq.

3.2. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.110(b), 1798.115(b).

4.1. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.100(a)-(b), 1798.110(a)(1), 1798.115(a)(1), 1798.140(o)(1)(B); See also Shine the Light Act, Cal. Civ. Code § 1798.83(a)(1).

4.2. See California Consumer Privacy Act (CCPA), Cal. Civ. Code § 1798.115(a)(3), 1798.115(c)(2).

4.3. See California Consumer Privacy Act (CCPA), Cal. Civ. Code § 1798.115(a)(2), 1798.115(c)(1).

4.4. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.110(a)(2), 1798.140(w).

4.5. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.110(a)(4), 1798.140(v), 1798.140(w); See also Shine the Light Act, Cal. Civ. Code § 1798.83(a)(2).

4.6. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.110(a)(3), 1798.140(d), 1798.140(t)(1).

5.1. See Shine the Light Act, Cal. Civ. Code § 1798.83(c)(2).

6.1. See California Consumer Privacy Act (CCPA), Cal. Civ. Code §§ 1798.115(d), 1798.120(a), 1798.135(a)(1),(2)(A)-(B), 1798.140(o)(1)(A)-(K), 1798.140(t)(1).

7.1. Shine the Light Act, Cal. Civ. Code § 1798.83(b)(C).

7.2. California Consumer Privacy Act (CCPA), Cal. Civ. Code § 1798.130(a)(2).

8.0. California Consumer Privacy Act (CCPA), Cal. Civ. Code § 1798.130(a)(7).