

# THE ULTIMATE SHORT GUIDE TO COOKIES & CONSENT

How to collect valid consent to cookies – and why!



2021 – Cookie Information

# CONTENT

## WHAT'S IN IT.. FOR YOU?

- » Introduction to cookies and consent
- » What are cookies?
- » What are the rules on cookies?
- » Which cookies require GDPR consent?
- » How do you collect valid consent to cookies?
- » Benefits of collecting valid consent?
- » Who can help you collect consents?
- » Our Consent Solution - what do you get?



# WHEN

## SEARCHING THE WEB..

This is Anna. She's looking for a pair of shoes. She quickly finds a good website and begins looking for the perfect pair.

But as she browses the site, cookies are being stored onto her computer.

Cookies which save the shoes in her shopping cart as she continues browsing, and cookies that remember her login information, so she doesn't have to log in again and again.

Features that make it easier for her to shop online or get the information she needs.

But cookies are also an important tool for websites and marketers. They provide key insights into Anna's preferences and customer journey.

**How did she find your site? Which products did she look at?  
And how can we remarket other products to Anna?**

But insights come with a cost!



# WHY

## CAN'T I JUST USE COOKIES?

Even though cookies are important to your business, the use of cookies, and the data they process, is highly regulated.

Why?

Because 98% of all cookies are used to collect and process website users' personal data.

Data about Anna and her online behavior. Data which can identify her both directly and indirectly.

### **And that requires Anna's consent!**

When your website uses cookies to make it work better, to do analytics or to remarket, there are certain rules and regulations you need to be aware of.

In this e-book "*The Ultimate Short Guide to Cookies and Consent*", we will guide you through the rules when using cookies on your website.

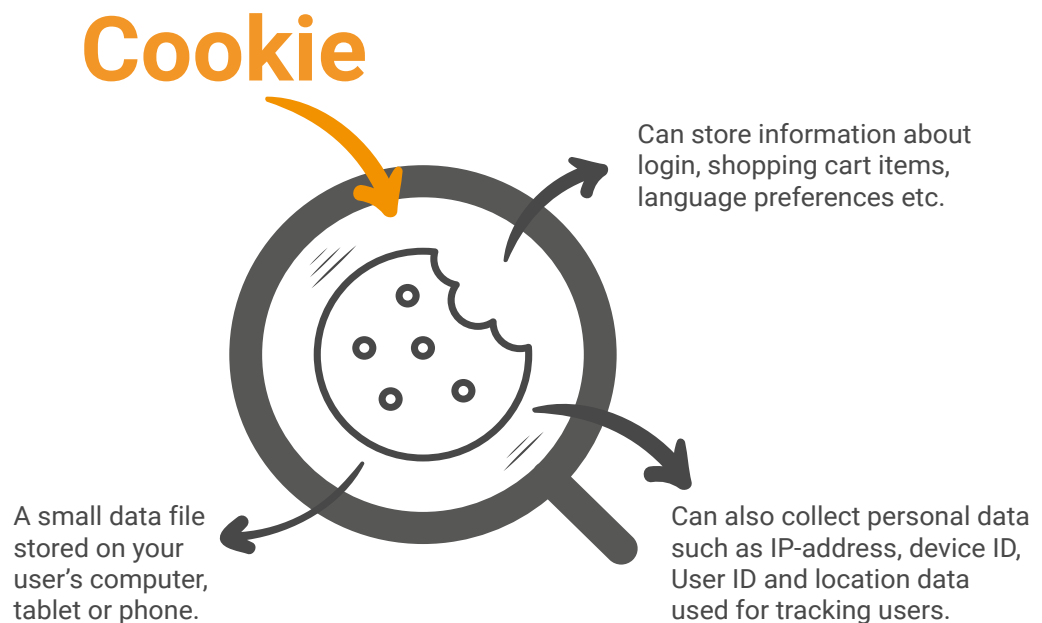
# WHAT

## ARE COOKIES?

A cookie is just a small text file that your website "sets" or stores onto the browser of your website visitor.

Cookies are able to perform different actions. Some make sure items are stored in the shopping cart until you pay, others make sure you are logged in as a customer or user on a website.

But the bulk of all cookies are placed by third parties, who harvest large amounts of personal data from your visitors to target ads personally to them.



# WHAT

## ARE THE RULES ON COOKIES?

### **The ePrivacy Directive 2002/58/ec (ePD)\***

Commonly known as the European Cookie Law, the ePrivacy Directive regulates the use of cookies.

If you use cookies on your website, you are required to:

- » inform your users of cookies.
- » collect their consent to the use of cookies.

### **The General Data Protection Regulation 2016/679 (GDPR)**

The GDPR regulates the processing of personal data.

When cookies on your website are used to process personal data, rules for consent are expanded and you are required to:

- » collect your users' active consent to cookies.
- » inform your users which cookies you use; who has access to the data they collect; and for how long they collect data.
- » provide your users with an easy way to change or withdraw consent.
- » block cookies until consent has been given.

It is not enough just to inform about cookies and assume visitors give consent based on continued use of the website. A GDPR consent requires an active action from your user. It's a yes or a no to cookies.

\*The ePrivacy Directive is transposed into national law across the 27 member states.  
The European Union is working on the ePrivacy Regulation which will replace the ePrivacy Directive.

# WHICH

## COOKIES REQUIRE CONSENT?

All cookies except technically necessary cookies require consent cf. the ePrivacy Directive.

But cookies that collect and process your visitors' personal data require consent with respect to the GDPR.

### NO CONSENT

#### Technically necessary cookies

Cookies which are strictly necessary for the website to function, e.g. shopping cart cookies and login cookies etc.

### REQUIRES CONSENT CF. ePRIVACY

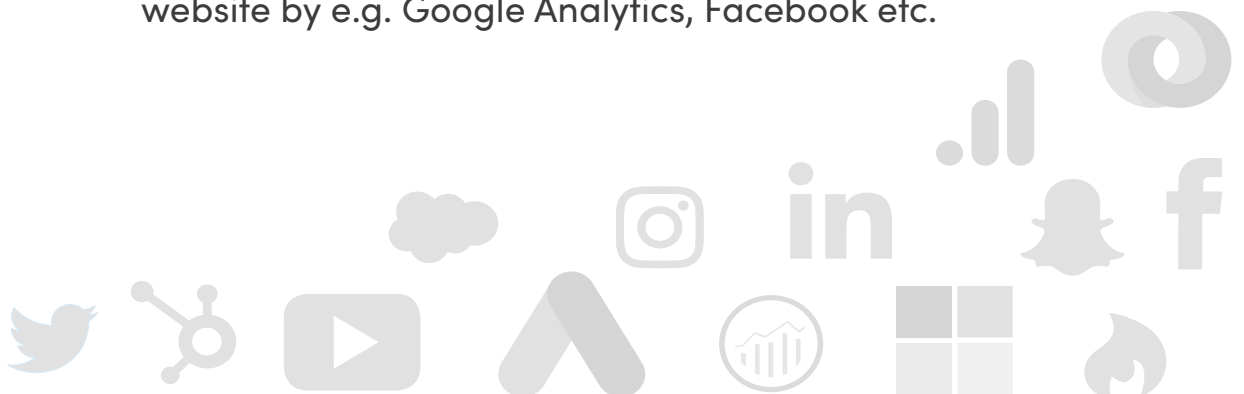
#### All cookies

If your website uses cookies, you are required to inform your users of this and to collect their informed consent.

### REQUIRES CONSENT CF. GDPR

#### Cookies which collect and process personal data

These are most often third-party cookies placed through your website by e.g. Google Analytics, Facebook etc.



# HOW

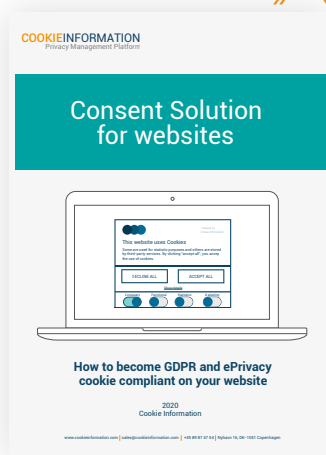
## DO YOU COLLECT VALID CONSENT?

Asking for consent to use cookies is not simply a matter of showing a cookie banner or pop-up on your website informing your users of cookies.

Consent means asking for a yes or a no: to get permission to do "something". That is the whole point of asking for permission.

To collect valid consent, you need a cookie **consent solution** on your website. A professional consent solution should as minimum provide your website with a consent pop-up which:

- » Informs your visitors of cookies.
- » Gives your users the possibility to decline cookies.
- » Blocks cookies before consent is obtained.
- » Does not assume consent with pre-ticked boxes.
- » Collects and stores consents for 5 years.



Only by fulfilling these requirements, you respect your users' privacy and **comply with the GDPR**.

Valid consent to cookies is obtained with a professional **Consent Management Platform**.

Learn more about our [Consent Solution](#).



# BENEFITS

## OF COLLECTING VALID CONSENT?

There are two very good reasons for collecting valid consent to cookies:

### **1. You respect your users' privacy and build trust with your customers.**

A survey by Cisco in 2020 reveals that companies investing in privacy not only minimize legal risks, they also report an average return of investment of \$2.70 from every dollar spent on privacy.

A report from Gartner finds that a proactive approach to privacy and data protection helps organizations increase trust with their user base.

*"To increase customer trust, executive leaders need to build a holistic and adaptive privacy program across the organization and be proactive instead of responding to each jurisdictional challenge."*

*Bart Willemsen, VP Analyst, Gartner.*

### **2. You avoid/minimize compliance risks and fines.**

If you do not follow the EU guidelines (ePrivacy & GDPR) to collect valid cookie consent, it can result in fines of up to **€20 million, or 4% of your company's worldwide annual revenue** from the preceding financial year, whichever amount is higher.

# WHO

## CAN HELP YOU?

### **We can!**

Why? Because with Cookie Information you will never have to worry about cookie compliance again.

### **We've got you covered!**

We will make sure you get:

- » a cookie pop-up that can be custom-designed using your website's design, color and logo.
- » a Cookie Consent Solution which is actually ePrivacy and GDPR compliant.
- » secure storage of all consents for 5 years as documentation to Data Protection Authorities.
- » compliance experts at your disposal.
- » support by humans and full onboarding plan.

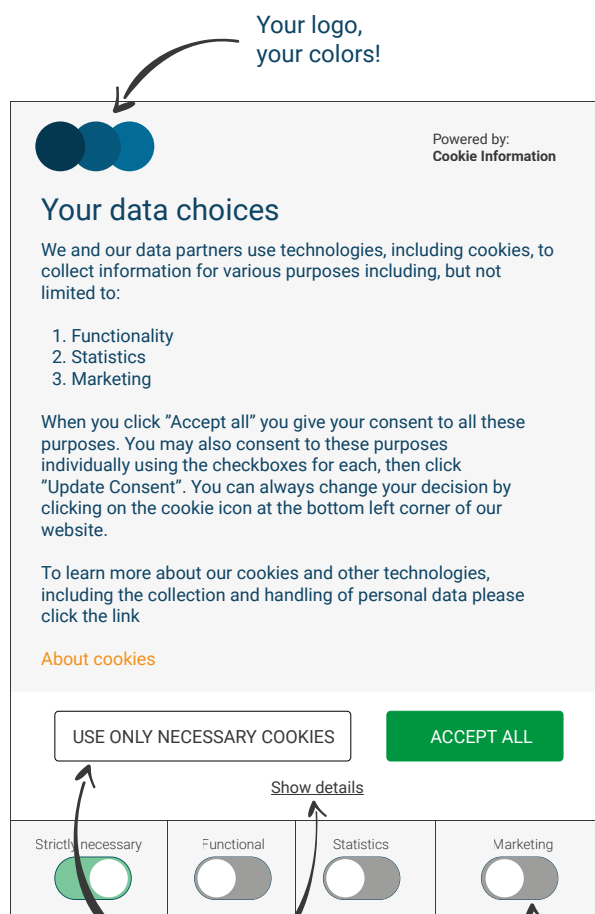
Cookie Information provides a **Consent Management Platform** at Enterprise level which ensures your business' compliance with global data protection regulations (also CCPA, LGPD etc.)

### **Want to learn more?**

# WHAT

## WILL YOUR COMPANY WEBSITE GET?

### Your cookie consent pop-up



### BEHIND THE SCENES:

#### Scan

We scan your website for cookies and trackers. You choose how many sub-pages we scan and the frequency.

#### Consent log

We securely store every single of your consents for 5 years. If you are selected for an audit by the Data Protection Authorities, we've got you covered.

#### Cookie Control SDK

Don't use cookies before you've got consent. This solution allows you to block cookies, until the user has agreed to them.

#### Compliance Dashboard

Complete overview of cookies, consents and acceptance rates. Monitor your compliance risks across multiple domains and consent solutions. Act on risks to your business' compliance.

**Decline cookies**  
Option for your user to say no thanks to cookies.

**Cookie policy**  
Information about cookies, who sets them, what data they collect and for how long.

**Privacy Controls**  
Option for your user to choose which cookies to be stored.

**FREE TRIAL - 30 DAYS**

No credit card needed

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## RESSOURCES

**For a free cookie compliance audit - go to:**

[Free compliance check \(for cookies and other trackers\)](#)

**For more information about Cookie Information's  
Consent Solution:**

[Consent Solution](#)

**External links:**

<https://www.gartner.com/smarterwithgartner/gartner-predicts-for-the-future-of-privacy-2020/>

<https://www.cisco.com/c/dam/en/us/products/collateral/security/2020-data-privacy-cybersecurity-series-jan-2020.pdf>

### **About Cookie Information**

Cookie Information is a Danish LegalTech company. We develop software which helps your business comply with the GDPR and the ePrivacy Directive when you use cookies on your website. Complying with ePrivacy and the GDPR online builds trust with your user base and gives you competitive advantages. We help more than 1500 businesses comply with these regulations and we handle +15 billion consents each year.