The Canadian Self-Regulatory Program for Online Behavioural Advertising

Introductory Webinar

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WEBINAR AGENDA

• AdChoices Program Background
• Application of the Program
• Program Requirements
• Joining the Program
• Approved Providers
• Program Fees
WEBINAR AGENDA

• AdChoices Program Background
  • What is Online Behavioural Advertising?
  • Why do we need a Canadian Program?
  • Who created the Program?

• Application of the Program

• Program Requirements

• How to join the Program

• Approved Providers

• Program Fees
WEBINAR AGENDA

• AdChoices Program Background
• Application of the Program
• Program Requirements
  • The Principles
  • Summary of Notice & Opt-out Requirements
  • Accountability Framework
• How to join the Program
• Approved Providers
• Program Fees
WHAT IS ONLINE BEHAVIOURAL ADVERTISING?

• Online Behavioural Advertising (OBA)
  – Sometimes called "interest-based advertising".
  – Use of data collected across multiple web sites in order to predict user preferences and to show ads that are most likely to be of interest to users.
WHAT IS ONLINE BEHAVIOURAL ADVERTISING?

• OBA is a significant part of the Internet’s economic model.
• Many web sites and online services rely on OBA for revenue so that they do not have to charge users for viewing or using content.
• Users also benefit because OBA results in more interesting, relevant, and useful advertisements.
WHY DO WE NEED A CANADIAN PROGRAM?

- Organizations that collect, use and disclose personal information in the course of their commercial activities are subject to applicable Canadian federal and provincial privacy legislation.
WHY DO WE NEED A CANADIAN PROGRAM?

• The Office of the Privacy Commissioner of Canada has issued specific guidelines on OBA:

  • Privacy and Online Behavioural Advertising
  • Policy Position on Online Behavioural Advertising
WHO CREATED THE PROGRAM?

• Multiple parties within the Internet ecosystem are involved in the delivery of OBA.

• Stakeholders involved in OBA are best positioned to establish standards for the delivery of OBA.
WHO CREATED THE PROGRAM?

• The program was developed by the Digital Advertising Alliance of Canada (DAAC) in conjunction with the Digital Advertising Alliance in the US.

• DAAC is a not-for-profit association created by Canadian advertising and marketing associations.
WHO CREATED THE PROGRAM?

• DAAC founding member associations:
  – Advertising Standards Canada (ASC)
  – Association des agences de publicité du Québec (AAPQ)
  – Institute of Communication Agencies (ICA)
  – Le Conseil des directeurs médias du Québec (CDMQ)
  – The Association of Canadian Advertisers (ACA)
  – The Canadian Marketing Association (CMA)
  – The Canadian Media Directors’ Council (CMDC)
  – The Interactive Advertising Bureau of Canada (IAB Canada)
THE DAAC PROGRAM

• The DAAC Program is based on Principles:
  • Designed to set out a consumer-friendly framework for the delivery of OBA.
  • Consistent with Canadian privacy laws, and the OPC guidelines on *Privacy and Online Behavioural Advertising*.
  • Based on the global standard set of OBA principles created by the Digital Advertising Alliance in the US.
THE DAAC ADCHOICES PROGRAM

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APPLICATION OF THE PROGRAM

• Program applies to entities involved in the collection, use and disclosure of data from a particular computer or device regarding web viewing behaviours over time and across multiple web sites to predict web user preferences or interests to deliver online advertising to that particular computer or device.
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APPLICATION OF THE PROGRAM

• OBA Data
  • There are multiple data flows involved in the delivery of OBA.
  • OBA data derived from web viewing behaviours over time and across multiple web sites.
  • The Principles apply to such data, regardless of whether the data in question is “Personal Information”.
APPLICATION OF THE PROGRAM

• Program applies to **entities** involved in the collection, use and disclosure of **data** from a particular computer or device regarding web viewing behaviours over time and across multiple web sites to **predict web user preferences or interests** to deliver online advertising to that particular computer or device.
APPLICATION OF THE PROGRAM

• Purpose of OBA
  • Predict web user preferences or interests to deliver online advertising to that particular computer or device.
  • Preferences or interests inferred from web viewing behaviours.
APPLICATION OF THE PROGRAM

• Program Exclusions

• Certain types of activities expressly excluded from the application of the Program, including:
  • Online advertising of entities within a web site they own or control.
APPLICATION OF THE PROGRAM

• Program Exclusions (Cont’d.)
  • Contextual advertising
    • Advertising based on:
      • Content of the web page being visited
      • A consumer’s current visit to a web page
      • A search query
APPLICATION OF THE PROGRAM

• Program Exclusions (Cont’d.)
  • Ad Delivery or Ad Reporting
    • Statistical reporting in connection with the activity on a web site(s);
    • Web analytics and analysis; and
    • Logging the number and type of ads served on a particular web site(s).
APPLICATION OF THE PROGRAM

• Program applies to entities involved in the collection, use and disclosure of data from a particular computer or device regarding web viewing behaviours over time and across multiple web sites to predict web user preferences or interests to deliver online advertising to that particular computer or device.
APPLICATION OF THE PROGRAM

• Different types of entities are involved in different aspects of OBA.
• The Principles define three categories of entities:
  • First Parties
  • Third Parties
  • Service Providers
APPLICATION OF THE PROGRAM
Categories of Companies

• First Parties
  • An entity that owns or controls a web site with which the consumer interacts
  • Examples:
    • Web site Publishers or Operators
      – Publisher of an online magazine
      – Operator of an online retail website
APPLICATION OF THE PROGRAM

Categories of Companies

• Third Parties
  • An entity that:
    • Collects and uses data on another entity’s (i.e. First Party) web site for OBA purposes.
    • Delivers advertising on such web sites based on OBA data.
  • Examples:
    • Ad Networks
    • Data Companies
APPLICATION OF THE PROGRAM

Categories of Companies

• Examples of Ad Networks and other Third Parties
APPLICATION OF THE PROGRAM

Categories of Companies

• Service Providers
  • Services that enable the provider to have access to all or substantially all URLs accessed by its users.
  • Examples:
    • Internet Service Providers
    • Browser Operators
    • Web Toolbars
APPLICATION OF THE PROGRAM
Categories of Companies

• Examples of Service Providers
SELF-REGULATORY PROGRAM REQUIREMENTS

Canadian Self-Regulatory Principles for Online Behavioural Advertising:

• Core document for DAAC program.

Program framework based on six key principles:

1. Education
2. Transparency
3. Consumer Control
4. Data Security
5. Sensitive Personal Information
6. Accountability
SELF-REGULATORY PROGRAM REQUIREMENTS

Canadian Self-Regulatory Principles for Online Behavioural Advertising:

1. Education
2. Transparency
3. Consumer Control
4. Data Security
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6. Accountability
EDUCATION PRINCIPLE

• The DAAC recognizes the critical importance of consumer awareness of the Program (in particular, the meaning of the AdChoices Icon).

• National consumer awareness campaign to be launched by DAAC in the coming months.
EDUCATION PRINCIPLE

• Education Principle requires companies to participate in efforts to educate individuals and businesses about OBA, such as:
  • The actors in the Canadian ecosystem
  • How data may be collected, and
  • How consumers may exercise choice and control over the collection, use and disclosure of data for OBA purposes.

• Companies are encouraged to use YourAdchoices.ca and other common resources for such educational initiatives.
EDUCATION PRINCIPLE

• The DAAC has created a web site (available at YourAdChoices.ca) that will be the hub of the Program.
SELF-REGULATORY PROGRAM REQUIREMENTS

Canadian Self-Regulatory Principles for Online Behavioural Advertising:

1. Education

2. Transparency

3. Consumer Control

4. Data Security

5. Sensitive Personal Information

6. Accountability
TRANSPARENCY PRINCIPLE

• Transparency about OBA is a core feature of the Program.

• The Transparency Principle sets out notice obligations for First Parties, Third Parties and Service Providers.

• The notice requirements are effected by:
  • The use of the AdChoices Icon
  • Additional requirements for web site notices
TRANSPARENCY PRINCIPLE

The Icon

• The DAAC has licensed the use of the AdChoices Icon from the DAA for the Canadian Self-Regulatory Program
  • The Icon is used in the U.S. and Europe

• The display of the Icon (and accompanying language “AdChoices” or “Choix de pub”) signifies:
  • That an ad has been delivered using OBA data
  • That data is being collected and used on that page for OBA purposes
TRANSPARENCY PRINCIPLE
The Icon

• The display of the Icon (and accompanying language “AdChoices” or “Choix de pub”) signifies:
  • That an ad has been delivered using OBA
  • That data is being collected and used on that page for OBA purposes
TRANSPARENCY PRINCIPLE
Serving the Icon

1. Self-enabled serving
   • Run/serve the Icon-enabled OBA campaign on their own.

2. Retain a DAAC “Approved Provider” to serve the icon on their behalf
   • Approved Providers will deploy and manage the Icon-enabled OBA campaign on the company’s behalf.
     – Evidon (www.evidon.com) – First Approved Provider
     – TRUSTe (www.truste.com)
TRANSPARENCY PRINCIPLE
Additional Notice Obligations

• First Party Notice
  • Two requirements:
    • Notice must be provided on web pages where data is collected and used for OBA purposes.
      — Links to the YourAdChoices.ca or a list of third parties that collect and use data on the page.
    • Meaningful description of practices in publicly posted privacy statement/other notice.
TRANSPARENCY PRINCIPLE
Additional Notice Obligations

• Third Party & Service Provider Website Notice
  • Third Parties and Service Providers must provide **notice on their web sites** describing their OBA data collection, use and other processing practices.
  • Principles prescribe contents of such notice.
TRANSPARENCY PRINCIPLE
Additional Notice Obligations

• Third Party & Service Provider Website Notice
  • Prescribed requirements include:
    • The types of data collected online for OBA purposes, including any Personal Information;
    • The uses/disclosures of such data;
    • An easy to use mechanism for exercising choice with respect to the collection, use and disclosure of data for OBA purposes; and
    • The fact that the company adheres to these Principles.
SELF-REGULATORY PROGRAM REQUIREMENTS

Canadian Self-Regulatory Principles for Online Behavioural Advertising:

1. Education
2. Transparency
3. **Consumer Control**
4. Data Security
5. Sensitive Personal Information
6. Accountability
CONSUMER CONTROL

- Third-Party Opt-Out Mechanism
  - Third Parties must make available a mechanism for web users to exercise their choice with respect to the collection and use of data for OBA purposes, and with respect to the disclosure of such data for OBA purposes.
CONSUMER CONTROL

• Third-Party Opt-Out Mechanism
  • Opt-Out mechanism must be made available from:
    • Third Party Website Notice
    • Notice in or around ads
    • Web pages where data is collected or used for OBA
  • Option to be listed on the Consumer Choice Page Opt-Out tool at YourAdChoices.ca.
CONSUMER CONTROL

• Service Provider Opt-Out Mechanism
  • Service Providers must provide consumers with the ability to exercise choice with respect to the collection and use of data for OBA purposes or the disclosure of data to another entity for such purpose.
CONSUMER CHOICE PAGE

These 16 participating companies have enabled interest-based ads for this web browser.

Click the company name to find out more about a participating company. To opt out from interest-based ads by one or more companies, check the box(es) in the “Select” column next to the company name(s), and then hit the “Submit your choices” button. You can also use click the “Select all shown” box to pre-check all the listed companies before you hit the “Submit” button.

Need help?

<table>
<thead>
<tr>
<th>COMPANY NAME</th>
<th>SELECT ALL SHOWN</th>
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<tbody>
<tr>
<td>Accuen Inc.</td>
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<td>Acxiom</td>
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<td>Break Media</td>
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<td>Chango, Inc.</td>
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<td>Datalogix, Inc.</td>
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<td>DataXu Inc.</td>
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<td>eyeReturn Marketing</td>
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</table>

Submitting your choices for the selected companies stores your opt out preference(s) to interest-based advertising in your browser. Learn More.
CONSUMER CHOICE PAGE

These 114 companies participate in the self-regulatory program to provide choices for interest-based ads.

Click the company name to find out more about a participating company. To opt out from interest-based ads by one or more companies, check the box(es) in the "Select" column next to the company name(s), and then hit the "Submit your choices" button. You can also use click the "Select all shown" box to pre-check all the listed companies before you hit the "Submit" button. An [x] symbol in the check box indicates that you have already set an opt out to interest-based ads from this company.

Need help?

<table>
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<th>Companies Customizing Ads For Your Browser (16)</th>
<th>Existing Opt Outs (0)</th>
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<tr>
<td>Adap.tv, Inc.</td>
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<td>Adara Media, Inc.</td>
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<td>AdReady, Inc.</td>
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<td>Aggregate Knowledge, Inc.</td>
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<td>Amazon Ad System</td>
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<td>Bazaarvoice, Inc.</td>
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<td>BlueKai Inc.</td>
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<td>Break Media</td>
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Submit your choices
CONSUMER CHOICE PAGE

All Participating Companies (114)

These 16 participating companies have enabled interest-based ads for this web browser.

Click the company name to find out more about a participating company. To opt out from interest-based ads by one or more companies, check the box(es) in the “Select” column next to the company name(s), and then hit the “Submit your choices” button. You can also use click the “Select all shown” box to pre-check all the listed companies before you hit the “Submit” button.

Need help?

Companies Customizing Ads For Your Browser (16)

- Admeia Inc.
- Bizo
- Break Media
  - http://www.breakmedia.com
  - Break Media is a leading creator, publisher, and distributor of digital entertainment content including video, editorial, and games. The company’s properties include the largest humor site online-Break.com as well as Made Man, Game Front, Holy Taco, Screen Junkies, Cage Potato, All Left Turns, Chickipedia, and Tu Vez. The Break Media Creative Lab is an in-house production studio creating original videos that range from award winning branded entertainment to celebrity-driven web shorts to viral one-off. The Break Media Network represents hundreds of publishers as one of the largest video advertising networks online reaching more than 140 million visitors each month.
  - To learn more about how we collect and use information for online advertising, please visit http://www.breakmedia.com/privacy-policy.
- Casale Media
- Chango, Inc.
- Datalogix, Inc.
- DataXu Inc.

Existing Opt Outs (0)

Submitting your choices for the selected companies stores your opt out preference(s) to interest-based advertising in your browser. Learn More

Submit your choices

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These 16 participating companies have enabled interest-based ads for this web browser.

Click the company name to find out more about a participating company. To opt out from interest-based ads by one or more companies, check the box(es) in the "Select" column next to the company name(s), and then hit the "Submit your choices" button. You can also use click the "Select all shown" box to pre-check all the listed companies before you hit the "Submit" button.

Need help?

Submitting your choices for the selected companies stores your opt-out preference(s) to interest-based advertising in your browser. Learn More.
CONSUMER CHOICE PAGE

These 27 participating companies have enabled interest-based ads for this web browser.

Click the company name to find out more about a participating company. To opt out from interest-based ads by one or more companies, check the box(es) in the "Select" column next to the company name(s), and then hit the "Submit your choices" button. You can also use click the "Select all shown" box to pre-check all the listed companies before you hit the "Submit" button.

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<td>Admeld Inc.</td>
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<td>Adobe Media Optimizer</td>
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<td>AdRoll</td>
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<td>Amazon Ad System</td>
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<td>Batanga Network</td>
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<td>Break Media</td>
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</tr>
<tr>
<td>Casale Media</td>
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<tr>
<td>Catalina Buyer/ision</td>
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Submitting your choices for the selected companies stores your opt-out preference(s) to interest-based advertising in your browser. Learn more.

Submit your choices
CONSUMER CHOICE PAGE ON YOURADCHOICES.CA

Important things to remember about the choices you make on this page:

- These opt outs apply to interest-based advertising by participating companies. You will still receive other types of online advertising from participating companies, and the websites you visit may still collect information for other purposes.
- The opt out choices you select are stored in opt out cookies only in this browser, so you should separately set your preferences for other browsers or computers you may use. Deleting browser cookies can remove your opt out preferences, so you should visit this page periodically to review your preferences, or update to include new participating companies.
HOW DOES THE OPT-OUT WORK?

• When a web user chooses not to receive OBA from an entity listed on the OBA User Choice Site ([YourAdChoices.ca](http://YourAdChoices.ca)), an "Opt-Out" cookie is placed in the user's browser, to tell the entity not to deliver such advertising in the future.

• These Opt-Out cookies storing such preferences will remain in effect for the user's browser unless these Opt-Out cookies are deleted (as can happen if users delete all of their cookies using browser tools).

  • Consumers may download browser plugins from [YourAdChoices.ca](http://YourAdChoices.ca) to prevent opt-out cookies from being deleted.

  • Plug-ins are available for IE, Firefox and Chrome.
SUMMARY: NOTICE & OPT-OUT

First Parties (e.g. Publishers)
• Ensure Third Parties (e.g. Ad Networks) provide notice, such as the Icon (with a link to an opt-out mechanism) in or around advertisements on your web site.
• Ensure you include notice on web pages where data is collected or used for OBA (if not provided by Third Party). Notice must also indicate adherence to the Principles.
• Provide a meaningful description of your OBA data practices in your publicly posted privacy statement.

Examples:
SUMMARY: NOTICE & OPT-OUT

Third Parties (e.g. Ad Networks)

• Include prescribed notice (and opt-out link) on your own web site
• Include notice (e.g. the Icon) in or around advertisements served
• Include notice on webpages where data is collected and used for OBA
• Be listed on opt-out tool on YourAdChoices.ca or otherwise provide an opt-out mechanism

Examples:
SUMMARY: NOTICE & OPT-OUT

Service Providers (e.g. ISPs, Browser Operators, Toolbars)
• Include prescribed notice on your own website.
• Provide an opt-out mechanism.

Examples:
SELF-REGULATORY PROGRAM REQUIREMENTS

Canadian Self-Regulatory Principles for Online Behavioural Advertising:

1. Education
2. Transparency
3. Consumer Control
4. **Data Security**
5. Sensitive Personal Information
6. Accountability
DATA SECURITY PRINCIPLE

- Safeguards
  - Entities must maintain appropriate physical, electronic, and administrative safeguards to protect the data collected and used for OBA purposes from loss or theft or unauthorized access, disclosure, copying, use or modification.
  - Includes specific requirements for Service Providers.
DATA SECURITY PRINCIPLE

• Data Retention
  • Entities must retain data that is collected and used for OBA only for as long as necessary to fulfill a legitimate business need, or as required by law.
SELF-REGULATORY PROGRAM REQUIREMENTS

Canadian Self-Regulatory Principles for Online Behavioural Advertising:

1. Education
2. Transparency
3. Consumer Control
4. Data Security
5. Sensitive Personal Information
6. Accountability
SENSITIVE DATA PRINCIPLE

• Sensitive Personal Information
  • Entities must not collect or use sensitive Personal Information for OBA purposes without consent, as required and in accordance with applicable Canadian privacy legislation.
SENSITIVE DATA PRINCIPLE

• Children’s Personal Information
  – General restriction on collection and use of children’s personal information for OBA purposes, unless conducted in accordance with Canadian privacy legislation.
SELF-REGULATORY PROGRAM REQUIREMENTS

Canadian Self-Regulatory Principles for Online Behavioural Advertising:

1. Education
2. Transparency
3. Consumer Control
4. Data Security
5. Sensitive Personal Information
6. **Accountability**
ACCOUNTABILITY PRINCIPLE

• Advertising Standards Canada (ASC) will be responsible for the Accountability component of the Canadian Self-Regulatory Program for Online Behavioural Advertising.
ACCOUNTABILITY PRINCIPLE
Advertising Standards Canada

- Self-Regulatory Roles include:
  - Maintains *Canadian Code of Advertising Standards* – principal self-regulatory instrument and accepts consumers’ complaints about advertisements
  - At industry request, reviews ad copy in 5 regulated sectors
  - Administers Canadian Children’s Food & Beverage Advertising Initiative
  - Conducts Consumer Research & Public Awareness Programs
ACCOUNTABILITY PRINCIPLE

• ASC will:
  • Monitor for compliance with the Principles.
  • Accept complaints concerning possible non-compliance with the Principles.
  • Initiate investigations into potential non-compliance identified through monitoring or its complaint procedures.
  • Publish reports on findings of non-compliance.
GUIDE FOR JOINING THE PROGRAM

1. Visit YourAdChoices.ca to review the Principles and the applicable Program requirements for your company.

2. Fill out the Program registration form at YourAdChoices.ca.

3. Enter into agreement with DAAC to participate in the program and license the use of the AdChoices Icon.
   - Companies who have signed up to participate in the DAA U.S. will execute a short-form addendum.

4. Enter into agreement regarding the OBA opt-out tool.
   - Not applicable for Companies who choose to establish their own opt-out mechanism.

5. Consider engaging an Approved Provider to assist with compliance.
APPROVED PROVIDERS

• Companies that offer technology solutions to assist with compliance with the Principles.
  – Customizable web interfaces to provide notice, deliver the icon and link to the Consumer Choice Page available through the YourAdChoices.ca website (or a company established opt-out mechanism).

• Evidon is DAAC’s first Approved Provider.

• Note: Companies are not required to use the services of an Approved Provider, but may elect to do so as a means of complying with the Principles.
PROGRAM FEES

• For companies already signed onto DAA U.S. Self-Regulatory Program for Online Behavioural Advertising:
  • $2,500 annual fee (as a supplement to U.S. license)
  • All companies must register for the Icon through DAA Canada at YourAdChoices.ca

• For Canadian-Only companies:
  • $6,000 annual fee
  • All companies must register for the Icon through DAA Canada at YourAdChoices.ca
**OBA OPT-OUT TOOL LISTING FEE**

- **OBA User Choice Website Opt-out Tool Fee**
  - No fees for companies currently listed in the U.S. Opt-Out tool
  - For companies not currently listed in the U.S. Opt-Out tool, **an additional $4,000 for Canadian-Only companies** (annual fee)
The Canadian Self-Regulatory Program for Online Behavioural Advertising

THANK YOU

info@youradchoices.ca
akardash@heenan.ca