

## Updated HFN Cookie Consent Handbook

**TOPICS:** Cookies, Tracking Technologies, ICO, CNIL, Consent

During recent months, the regulatory climate relating to the use of tracking technologies (such as cookies, SDKs, JavaScript and other forms of local storage) has **dramatically changed**, now **formally recognizing the stricter standards of consent and transparency required for usage of tracking technologies**, both under the GDPR and the e-Privacy Directive.

These changes are reflected, inter alia, in the following regulatory developments:

- On July 19, 2019, the French Data Protection Authority (the “**CNIL**”) published new guidelines on cookies and trackers.
- On July 3, 2019, the UK data protection authority (the “**ICO**”) updated its guidance on the rules that apply to the use of cookies and similar technologies.
- On May 3, 2019, the Conference of the German Data Protection Authorities (the “**DSK**”) issued guidance on use of tracking technologies and cookies.
- On March 21, 2019, the EU Advocate-General delivered an opinion regarding the rules applicable to cookies before the Court of Justice of the European Union (CJEU).
- On March 12, 2019, the European Data Protection Board published its Opinion 5/2019 on the interplay between the e-Privacy Directive and the GDPR.
- On March 7, 2019, the Dutch Data Protection Authority published guidance prohibiting the use of “cookie walls”.

**In light of these developments, we have updated our Guideline for Practical Cookie Consent Handbook to reflect and summarize these significant regulatory trends and guidelines.**

This handbook was prepared to help businesses operating in the digital ecosystem – such as publishers, mobile app developers, ad networks and agencies, analytics/attribution providers, fraud prevention tools, and others – identify and meet the key requirements that apply to the storing of information, or otherwise gaining access to information stored, on a device, as well as to locate resources and tools that may help them meet these requirements.

**Please note that this handbook sets out practical guidelines and should not be regarded as providing legal advice.** As always, we encourage you to approach us with any questions.