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**A Privacy Treatise**

**By Kathleen Pierz**

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A Privacy Treatise

The message is out – consumers have clear and growing expectations when it comes to the privacy they expect and ultimately demand for their personal contact information. Telecommunications organizations that ignore this need for privacy do so at their own peril. Those who listen and meet, or better yet, exceed consumers' expectations, will ultimately win in the marketplace. Privacy is what your customer says it is - independent of regulation, laws and contract language.

Based on recent market occurrences, changes in regulation, carrier pronouncements and the results from several national consumer-level surveys, the trend is clear: privacy matters!

Unmistakable messages from the marketplace:

§In the Zelos Group's National Wireless Usage Study, only 2 percent of US consumers indicated that they would list their wireless telephone number without any type of privacy and/or call screening in place.

§In this same study, 51 percent of the that same sample and 69 percent of 13 to 24 year olds within the study are willing list their mobile number IF they had guaranteed privacy protection and/or defined call screening procedures

§41% of US consumers subscriber to a caller ID service; 57% of 18–24 year–olds subscriber to a caller ID service.

§Over 20 percent of all fixed line phone numbers and 98% of wireless numbers are unlisted in the US. This number exceeds 40 percent for Arizona and Alaska and approaches 50 percent in large cities.

§Over 51 Million numbers in the US were registered on the national Do–Not–Call registry. This is over 50 percent of residential phone numbers, all prior to the lists' October 2, 2003 implementation. The US market has never seen a more clear indication that consumers are feed up with unwelcome commercial contacts.

§88 percent of wireless subscribers said that their number one reason for not listing their mobile number would be to avoid telemarketing calls.

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### The Current Model is Broken

The current model for being "listed / not listed" is no longer viable for today's consumers in today's technologically dynamic environment. The number of ways we can be contacted is growing: (listing all your personal and professional phones, emails, IM addresses, SMS, Push to Talk (PTT) physical addresses, etc, this list exceeds 15 to 20 for most of us) our technological capabilities seems to have at least temporarily exceeded regulatory, not to mention social and ethical, development in the area of communications. It is now possible for almost anyone to locate and communicate with most of us anytime, anywhere. In the US market, the combination of relentless tele-marketing campaigns and poor personal manners has nearly converted this communications convenience into a bane within modern society.

Consumer backlash to this growing erosion of personal privacy is becoming increasingly apparent.

Marketers, telcos and database aggregators have not, to date, met consumer privacy needs or expectations. Newly introduced and highly restrictive regulation in the EU, the inability to successfully introduce wireless numbers to a directory database (anywhere they had not been part of a database from the introduction of mobile phones) and growing public ire are the fruits of this collective inability to address consumer expectations.

Today, for most types of personal and professional contact information, there are two options: listed and not listed. Many other communications points are "unlisted" in the sense that they are not easily available in a directory such as email or websites. These other communications methods are more likely to be considered permissions-based devices. Those communication methods that require the subscriber to provide their specific contact information to those they wish to reach them.

Privacy is what your customer says it is

Legal and regulatory definitions ultimately matter less than what your customer believes or expects. On most US wireless subscriber contracts today, text appears that states that upon signing the contract the subscriber grants their express permission for their number to be utilized for directory purposes. This does not mean that adding mobile numbers to the DA/DQ database will be easy, or even go unchallenged. In fact very few consumers are aware of the fact that their mobile numbers could, technically, be listed today. Consumers perceive their mobile numbers to be private independent of their current legal status consumers believe them to be private. Any across-the-board move to change this would likely meet with not only customer opposition but possible regulatory intervention.

This discussion extends beyond the introduction of wireless numbers in the US DA/DQ database. It will ultimately expand to include the range of possible ways in which one can be contacted. A viable model must be found and implemented that both provides for connectivity, but that also gives consumers control over who may contact them, when, where and how. This is especially true in the US market, given the combination of over zealous telemarketing efforts and a general disregard for personal privacy (in contrast to Scandinavian countries where more than 90% of all phone numbers, including mobile phones, are listed). There is a huge upside (revenues from WDA are estimated at \$3.4 Billion annually) and a huge downside (inability to launch WDA, erosion in fixed line database, inability to launch future services, increased regulation) if the market fails to achieve the precise mix of communications and control.

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### A New Model for Privacy AND Communication

Providing greater consumer privacy and better connectivity at the same time are not mutually exclusive ends. This issue extends beyond wireless numbers to include a range of personal contact points. If directory providers are not providing it, regulators have a demonstrated zeal for stepping in and regulating privacy - which can ultimately be to the detriment of all parties. Without a change, call volumes will decline, and we argue, our ability to communicate with one and other will be increasingly limited.

### The Formula

Carriers and DA/DQ providers who can integrate the following five points, into their service and effectively communicating them to consumers will ultimately be successful at providing better services to their customers.

1. Consumers want control
2. Consumers will not tolerate abuse
3. Information must become individual-centric rather than location centric
4. Timing: Now is the time to act

5. Education: Consumers Need to Know

For a full text of this article visit <http://www.pierzgroup.com>

Ms. Pierz is one of the best known industry analysts in the directory assistance/enquiry space. Kathleen holds a Master's degree in International Management from the American Graduate School of International Management (Thunderbird) and a Bachelor of Science Degree in Business from The University of Colorado.

### **Kiss (Keep It Simple Stupid)**

#### **By Rose DesRochers**

Not every web surfer is going to understand lawyer talk. Most online privacy policies are written by lawyers and as a web user we don't know half of what it means. Therefore I suggest that you write a privacy policy that people can understand. Phrase your policy as a FAQ with questions like

1. Do you sell my personal information to third parties?
2. How do you secure my personal information?
3. Why do you need my information/why do I need to register?
4. Do you collect information from children?
5. What other information do you collect and how is it used?
6. What are my options to control the use of my personal information?
7. What is a cookie?

When writing your company's Privacy Policy make sure that you have covered the following topics

1. The "we collect" statement
2. If you save, share, or sell your customers' email addresses.
3. If your site uses cookies ,what information is collected with the cookie.
4. Your site's security , what

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steps you take to protect from hackers. 5. Coppa ( Statement Regarding Children) 6. How you protect their privacy. 7. Changes to your policy 8. Links 9. Updating your information 10. Your business contact information.

My advice on writing your efficient Privacy Policy can be summed up in one word , as my husband Shawn DesRochers web developer, free lance programmer and owner of invision–graphics.com would say " Kiss" ( Keep it simple stupid).

Rose DesRochers, Canada

Rose is a

published author and web columnist. She is also the founder of Today's Woman a supportive online community for men and women over 18. Their goal is to help writers succeed in the writing industry by offering a useful selection of services including author interviews, regular columns, interactive forums, and a place to share your writing for critique by your peers.



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