
Panlogic Recommendations on the Amendments to the e-Privacy Directive

1st September 2011

There are four cookies created by the Panlogic site currently which come under 2 different categories:

- 1) *Google analytics cookies – User Activity*
- 2) *Google analytics cookies - Repeat user analytic*

Cookies

__utma – tracks users amount of visits to site (Repeat user analytic)

__utmb – tracks how long a user stays on site (User Activity)

__utmc – tracks how long a user stays on site (User Activity)

__utmz – tracks where a user came from (User Activity)

1) Google analytics session cookie

There is one type of 'Google analytics session cookie' recorded on the Panlogic site.

This is used to identify the session (visit) to remember what the visitor does on the site (i.e. logon) and is required for the site to operate correctly. Without this the site would not be able to remember that the user has logged on. The cookie only lives whilst the visitor is on the site and is deleted automatically when the user closes their browser or times out.

Under the law, this type of session cookie is explicitly allowed and user permission is not required.

2) Google analytics cookies – User Activity

There are three 'User Activity' cookies recorded on the Panlogic site.

The first type is used by Google to link each user's activity on the site. Stats generated from this include the paths through the site, landing and exit pages, length of time on pages and on the site overall. They are not required by the site to operate. It is therefore questionable if they are allowed under the law as the information is anonymous and the cookie only lasts for the time the visitor is on the site. Panlogic may need to explicitly ask the visitor arriving at the site if this cookie can be created so that their activity can be monitored anonymously. We will only know if we need to ask this once the government clarifies their understanding of the new law. An alternative way for Panlogic to get this information is by analysing the standard log files recorded on the server – this is not affected by the law as nothing is recorded on the user's computer, the drawbacks are that tools to do this tend to be expensive and cumbersome, and often require large storage volumes also the gathered data in the log files is not as detailed as the client side Analytics, which require cookies.

3) **Google analytics cookies - Repeat user analytic**

There are two repeat user analytics cookie recorded on the Panlogic site.

The second type is used by Google to link repeated visits from the same user, i.e. they are used to identify the unique visitor stats. These cookies are therefore currently created when the visitor arrives for the first time at the Panlogic site and stay on the visitor's computer for ever so that when they next visit the site Google can recognise them as a previous visitor and link their activity to their last visit.

Under the proposed law, these cookies are not allowed to be created unless the visitor has given explicit permission for them to be created.

It should be noted that the Government has yet to decide on what constitutes "explicit permission" for this matter. There is a general belief that current browser security tools to prevent cookie storage may already constitute explicit permission, and that user education is required to inform of these tools.

The options for Panlogic to consider are:

- i. *Panlogic develop the site so that it asks for this permission (i.e. a popup or other mechanism). This would appear each time the visitor arrives at the site.*
- ii. *Panlogic may decide not to track unique visitors, removing the need for the cookie.*
- iii. *Do nothing*