

Dossier de synthèse inversée – Gp 5 : Clément / Alexandre / Clémence / Nils / Adrien

En vous appuyant uniquement sur les documents du dossier thématique qui vous est proposé, vous rédigerez une synthèse répondant à la question suivante

What is at stake with targeted advertising?

Votre synthèse comportera entre 450 et 500 mots et sera précédée d'un titre. Le nombre de mots rédigés (titre inclus) devra être indiqué à la fin de votre copie.

Document 1: “My doctor diagnosed me with ADHD – so how did my phone find out?” *The Guardian*, November 2023.

At my most vulnerable, targeted ads started selling me services that could help manage my symptoms – for a price. The law must offer more protection.

After I was diagnosed with attention deficit hyperactivity disorder (ADHD) in 2022, I started following Instagram accounts that could help me understand the condition. Reels and memes about being neurodivergent started to fill my feed, along with tips on how to manage ADHD in a relationship and other helpful advice. But within days, something else happened: my phone found out about my diagnosis.

All of a sudden, I was being served with ads for apps that claimed they could help me to manage my symptoms. There were quizzes to determine what type of ADHD I had: was I predominantly inattentive or impulsive, one asked. Did I definitely have it? Find out by taking this diagnostic test, another promised.

I filled out an online quiz from one of these companies and got an ADHD score of 43 out of 63 – whatever that meant. If I wanted to find out, I needed to open the “personal management plan” that had arrived in my inbox and would apparently give me unique insights into my challenges and help me to better manage my symptoms. [...].

[..]

Freshly diagnosed, my phone seemed to know more about me at that stage than my friends and family.

The law around this kind of advertising is somewhat murky, according to Johann Laux, a postdoctoral fellow at the Oxford Internet Institute. In the UK, it is against the law to advertise prescription-only drugs to consumers. But there is no such restriction on advertising over-the-counter medical products.

Laux said there could be privacy concerns to this kind of targeted advertising, as health data is a special category and companies need explicit consent to access it. But no one was rummaging through my health records – the company had been able to infer my health status from my search terms.

Consumer law protects vulnerable consumers in their economic decision-making. But the characteristics that make a consumer vulnerable are rather vaguely defined. According to the Financial Conduct Authority, a vulnerable consumer is someone who is easily harmed because of their personal situation.

Targeted adverts such as these feed into the issue of self-diagnosis. In 2022, NBC News wrote about TikTok allowing the mental health care startup, Cerebral, to sponsor ADHD advertisements that promoted “negative body images and contained misleading health claims”. The advert claimed that obesity was “five times more prevalent” among adults with ADHD and included the quote: “Those who live by impulse, eat by impulse.” Another advertisement by Cerebral encouraged female users who were “spacey, forgetful or chatty” to pursue an ADHD diagnosis and medication. Done, another company NBC noted was advertising ADHD treatment, explicitly encourages users to self-diagnose via a survey.

In Europe, the law over using sensitive data for targeted advertising is changing. In July, the court of justice of the European Union said that using personal data for ads without consent breaks data protection rules. The restrictions focus on tracking users’ social media activity and creating profiles based on their interests, location and content preferences.

Document 2: “Meta fined €390m over use of data for targeted ads”, *BBC NEWS* January 2023.

Meta has been fined €390m euros (£346m) for breaking EU data rules.

The Irish Data Protection Commission (DPC) says the way Meta asked permission to use peoples' data for ads on Facebook and Instagram was unlawful.

Meta, which owns both platforms, has three months to change how it obtains and uses data to target ads.

Meta says it is "disappointed" and intends to appeal, stressing that the decision does not prevent personalised advertising on its platforms.

The regulator said that Facebook and Instagram can not "force consent" by saying consumers have to accept how their data is used, or leave the platform.

As Facebook and Instagram have European headquarters in Ireland, the DPC takes the lead in ensuring they comply with EU data law.

Privacy campaigners say the decision is a major victory and means Meta will have to give users real choice over how their data is used to target online advertisements.

It means Meta will potentially have to change the way a key part of its business works.

The bulk of the firm's money, over \$118bn (£97.8bn) in 2021, comes from advertising.

The fine is the second significant penalty imposed by the watchdog in recent months.

In November it was fined €265m (£228m) by the DPC over a data breach that saw the personal details of hundreds of millions of Facebook users published online.

According to the Irish Times Meta set aside €2bn (£1.7bn) to cover potential European fines in 2023.

New law, new complaints

The DPC investigation was sparked by complaints made in 2018 by privacy campaigner Max Schrems, on behalf of two users in Austria and Belgium. The complaint was brought just as the EU's new data and privacy law, the General Data Protection Regulation (GDPR), came into operation.

In order to comply with GDPR both Facebook and Instagram asked users to click "I accept" to indicate that they agreed to updated terms of service setting out how their data would be used in ads.

If users did not accept, they were unable to use Facebook or Instagram.

The complainants argued that this meant Meta was "forcing" them to consent to their data being used in targeted ads - and this breached the GDPR.

Meta's representatives argued that Facebook and Instagram are "inherently personalised" and that, as part of that personalisation, targeted ads are a "necessary and essential part" of how the platforms work.

They said Meta was not giving users an ultimatum, and that there was just no way the platforms could work without using data for advertising.

But the DPC found that is not the case, and users were forced to consent.

The company argues that far from forcing people to accept how it uses data, it gives consumers a number of tools to control how their data is used.

Document 3 : “Google’s Plan For Ad Targeting Without Third-Party Cookies” November 2023, *Searchenginejournal.com*

As internet browsers phase out third-party cookies, online advertisers seek new ways to target ads to customers without relying on current tracking methods.

Transitioning To “Era Of Prediction”

Google laid out its vision for a cookie-less future during a recent question-and-answer video from Radhika Mani, Google Display Ads’ Senior Product Manager.

The video comes as Google plans to phase out third-party cookies in Chrome. Cookies have enabled advertisers to track users across websites to serve targeted ads but raise privacy concerns.

According to Google’s research, 89% of internet users would trust brands more if they invest in privacy-safe technologies.

“In a future without third-party cookies, marketers will need to adopt more durable audience strategies,” said Mani.

She pointed to enhanced use of first-party data and integration with new privacy-preserving tools like the Privacy Sandbox’s Protected Audience API.

The API introduces techniques like minimum thresholds for ad targeting and shorter duration for user data storage to limit constant tracking. Google says its ad platforms will integrate the API to maintain audience targeting while meeting strengthened privacy standards.

New First-Party Data Options

According to Mani, advertisers will still build audience lists like today. However, enhanced AI is expected to help fill gaps left by less expansive tracking—solutions like Smart Bidding and Optimized Targeting aim to boost ad relevance using internal algorithms.

Mani cited that optimized targeting increased conversions by 50% for some Google Display customers. Upgrading campaigns to Performance

Google is also expanding first-party data capabilities like Customer Match to allow personalized ad targeting based on advertisers’ customer data.

New options like PAIR allow this first-party data to be used on external publishing sites.

Google encourages advertisers to adopt these AI tools and first-party data capabilities to prepare for the cookie phase-out.

More Context On Privacy Concerns

The move from third-party cookies comes amid growing consumer calls for stronger data privacy protections.

Tech companies have faced increased scrutiny over handling user data, with practices like highly targeted behavioral advertising raising ethical questions.

Phasing out third-party cookies aims to curb the constant tracking of individuals across the internet.

Advertisers have mixed opinions regarding the end of third-party cookie targeting.

On one hand, it could impact digital ad revenues. On the other hand, alternative targeting and measurement approaches may fill the void.

In Summary

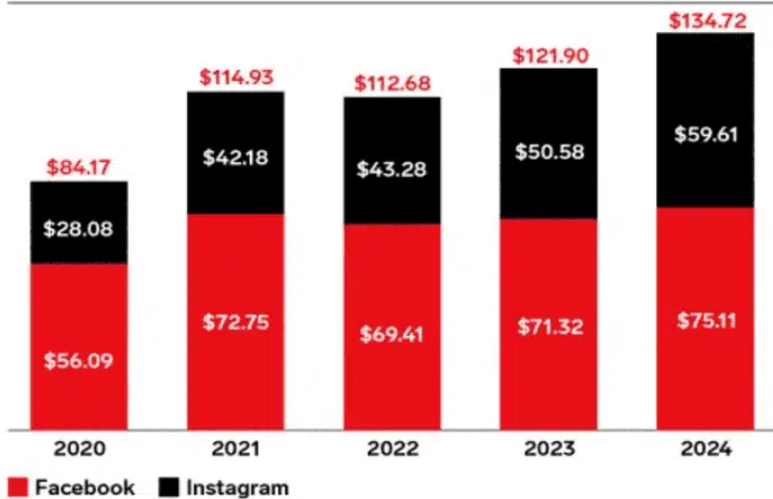
Though targeting precision may decrease after phasing out third-party cookies, advancements in first-party data use and AI optimization offer alternatives.

For online marketers, investing now in automated and consent-based solutions is key to navigating the evolving advertising landscape.

Document 4: “Social Media Advertising Statistics” October 2022 and April 2023

Meta Net Ad Revenues Worldwide, by Segment, 2020-2024

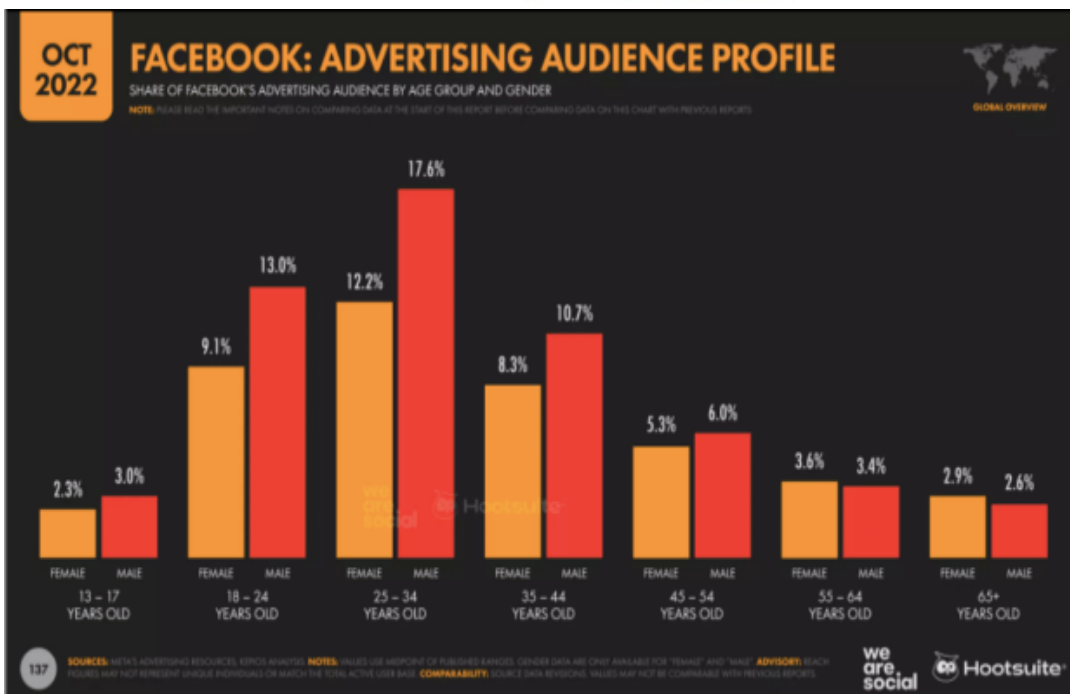
billions



Note: paid advertising only; includes advertising that appears on desktop and laptop computers as well as mobile phones, tablets, and other internet-connected devices; includes Facebook and Instagram ad revenues; net ad revenues after companies pay traffic acquisition costs (TAC) to partner sites; excludes spending by marketers that goes toward developing or maintaining a Facebook and/or Instagram presence; excludes revenues reported under Meta's Reality Labs segment
Source: eMarketer, Nov 2022

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eMarketer | InsiderIntelligence.com



Document 5: "Online fraud targeting the elderly" October 2023.

