

ARTICLE 29 Data Protection Working Party



Brussels, 26 May 2010

Chairman
Federal Trade Commission

United States

Dear Chairman,

On behalf of the data protection authorities in the EU united in the Article 29 Working Party (hereafter: WP29), I am sending you a copy of the letters WP29 sent today to 3 major search engine operators, Google, Yahoo! and Microsoft.

The concerns of WP29 are focussed on the retention and anonymisation policy of the 3 providers with regard to the search query logfiles. I shared our concerns and have asked the FTC to examine the compatibility of this behaviour with section 5 of the Federal Trade Commission Act, which prohibits unfair or deceptive acts or practices in the marketplace.

Generally we warmly welcome your initiative for the recently launched Global Privacy Enforcement Network (GPEN), as it shows strong support for close international collaboration in enforcing compliance with key data protection principles.

We respectfully offer our assistance in any possible steps you might want to take in finding a constructive solution to protect the private life of everybody that conducts searches on the Internet.

Sincerely yours,

Jacob Kohnstamm
Chairman

This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

The secretariat is provided by Directorate D (Fundamental Rights and Citizenship) of the European Commission, Directorate General Justice, Freedom and Security, B-1049 Brussels, Belgium, Office No LX-46 01/190.

Website: http://ec.europa.eu/justice_home/fsj/privacy/index_en.htm