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Panel Summary: Wearable Technology and the Internet of Things

Moderator: Steve DelBianco (NetChoice)

Panel: DJ Saul, iStrategy Labs; Mark Eichorn, Federal Trade Commission; Dan Caprio, McKenna Long & Aldridge LLP; Paula Bruening, Intel Corporation

Steve DelBianco led a fast-paced, insightful panel with four industry and policy professionals, discussing the potentials of wearables and the Internet of Things, as well as the risks and privacy implications of ever increasing data collection. They talked about some new, exciting wearables like low-cost electronic prosthetics, smart-onesies for infants and even a flying camera wristbands for aerial selfies.

Each panelist introduced themselves and how they were involved with the IoT. DJ Saul, Managing Director of DC-based tech firm iStrategy Labs, represented the complexities and importance of security awareness in the hardware, app and platform development community. Paula Bruening, Intel's senior counsel on privacy policy, advocated that large corporations should support the creation of new technologies that, "fit into people's daily lives seamlessly and enhance them," as well as take the lead on implementing new and forward industry standards on privacy. An advisor on all things privacy, cyber security, IoT and Big Data, Dan Caprio spent many years working closely with the European Commission as a US government appointed transatlantic subject matter expert. He brought a European perspective on the privacy debate and emphasized that trust, confidence, transparency and communication are the future of tech's positive uses of Big Data. Mark Eichorn, with the FTC, reminded us of the great potential of smart grids and Big Data, and promoted privacy and security by design.

The initial discussion of wearables and the Internet of Things began with an introduction to iStrategy Labs' new prototype device called 'The Ruby' that functions on an app called 'Dorothy'. This device and platform can activate a person's smartphone by clicking their heels together 3 times (the Ruby is worn in the shoe). Saul's introduction of The Ruby was a great jumping off point to discuss what he called "the ecosystem of If-This-Then-That", or, the great potentials of leveraging the capabilities of smart devices to improve peoples' lives. Later in the discussion, DelBianco and Saul addressed the question of data security when intermediate platforms and distributors gain access to a device's data. Saul explains the frustrating and challenging task for developers to educate themselves on how to "bake in instead of bolt on" security and privacy elements. DelBianco threw out a related question of, "Where do you see the key elements of responsibility and leadership showing up so that our industry can become a real example of how to do privacy right?"

Paula Bruening, who had already discussed Intel's "Make it Wearable" challenge and "Rethink Privacy" initiative, stated that we need to evaluate and build off all pre-existing fair information practices and principles, but to stop relying solely on notice & choice privacy policies. She submitted that industry, government and NGOs need to come together to put in place baseline legislation about the



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accountability required of companies that are actively collecting data. She implores tech developers to consider, “What kind of data am I using, how am I collecting it, do I really need it?” She suggests moving away from a solely notice & choice model of privacy, “in favor of looking at ways that data can be used in creative, productive ways, to positive ends which requires data flexibility, and having companies be accountable for the decisions they make and the risks that they’re creating by using data in certain ways....”

Moving away from primarily corporate uses of Big Data, Dan Caprio discusses the EU’s meditations on privacy as a basic human right and the extent to which they’ve tried to premeditate and preempt abuses of data collection. A take away from the Euro mindset is that how we frame data collection is key and that there is “not a one size fits all solution.” Caprio says, “as we evolve from notice and choice, we need to proactively identify risks and come up with strategies to mitigate them ahead of time”, and that he would like to see “privacy and security teams sitting down with engineers” in the earliest stages of new tech development.

Mark Eichorn echoes this opinion and calls for “privacy and security by design”. He reminds us that there are big differences between industrial uses, consumer facing uses and exploitative uses of Big Data collected by devices like wearables and in smarthomes. Also, he mentions, that devices can objectively report data that would have “limited privacy impact” on the user, but it is incumbent on that company to choose not to collect certain types of unnecessary, personal data.