GATOR Provides Clear Privacy Statements and End-User Agreements

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Thanks to the continued correspondence with GATOR.COM and their marketing firm, I have looked further into the current practices of Gator.com and am impressed by the clarity of their marketing materials, privacy policy and end-user license agreements. Anyone planning to use their software or who is designing a [W]eb site or software product that keeps track of user activity will benefit by examining the policies closely to learn how to make one’s activities plain.

Gator’s marketing pages are found at <http://www.gatorcorporation.com/advertise/qtr/>. The sequence of [W]eb pages starting there makes it very clear that advertisers are able to show Gator users advertisements “On any site on the [W]eb. At any time during their purchase cycle. Even at a competitor’s site.”

The privacy statement, found at <http://www.gator.com/help/privacy_license-2.6.html> is admirably clear and free of confusing legal jargon. The main points are as follows:

(1) Gator products are designed to collect “information about where you surf and shop on the [W]eb. For example, if you visit a recipe site we might display a special offer or advertisement for cookware. Depending on which services and applications you use, as well as your preferences, these special offers and advertisements may be displayed using various size pop-up windows on [W]eb pages you visit, and/or sent to you via electronic mail.”

(2) Gator does have to store a modest amount of information about each user (quoting directly from the page):

* “Your email address, first name, country and ZIP code (limited to first 5 digits in the U.S.)

* Your Gator.com ID which is a numeric identifier that is generated by Gator.com when you receive Gator ServWareApps

* Your master Gator password, if you choose to use one (we store this so we can share it with you if you happen to forget it)

* Information about [W]eb pages you visit -- this information includes a site's [W]eb address, time spent at a site, transaction activity, where Gator ServWareApps were used, site entry and exit patterns, and some products and information viewed

* Any optional demographic information you choose to provide us such as gender and income

* History of various special offers and advertising delivered by Gator ServWareApps, and your various responses to them
* Standard [W]eb log information and system settings such as user IP addresses, browser type and versions, screen resolution, time zone selected and the version numbers of some of the software installed on your personal computer”

(3) Gator does not normally store “your last name, street addresses, phone numbers, credit card numbers and login IDs/ passwords for [W]eb sites which Gator Login Helper remembers for you.” Only if the user specifically requests storage of additional information will Gator keep track of such details.

(4) All changes to the privacy statement and end user license agreement are announced explicitly to every user “either by displaying an online pop-up communication or sending an email message.”

(5) Gator products use cookies, including third-party cookies from their clients, to track user activity and, specifically, “To identify the partner that was responsible for introducing you to a Gator ServWareApp application so that Gator.com can pay that partner a fee for introducing you. To display the most appropriate advertising based on your interests and activities. To identify which Gator ServWareApps are on your computer.”

(6) Gator products use “[W]eb beacons” which “are electronic images (also called a "single-pixel GIF") found in, among other places, various size pop-up advertisements and email messages. Gator.com and third-party service providers may include [W]eb beacons in an email message in order to count and record how many recipients have viewed the email message, in the aggregate, and to individually identify and record, by email address, those who have viewed the email message and those who have not viewed the email message. Third party service providers that serve ads to Gator ServWareApps users at Gator.com's request may use [W]eb beacons in connection with the provisioning of their services.”

(7) Users may terminate delivery of Gator e-mail communications at any time.

(8) Gator-enabled software is updated automatically. “We use technology that automatically delivers software applications, automatic updates to these applications, and other information to your computer without requiring any action on your part so that they will be ready and waiting for you when you need them.”

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On another note, Gator quickly fixed a security flaw in February when it was informed that its ActiveX download plug-in could allow back-door installation of hostile programs. For more details, see the article by Stefanie Olsen at <http://news.com.com/2110-1023-843692.html>.

I trust that this information will be helpful to people interested in learning more about Gator and its clients as well as offering a model for clear explanations of what a [W]eb site or software actually do with user information and user systems.

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