

Privacy: The Value of Customers' Data Practices

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SPECIAL SESSION PROPOSAL:

“Privacy: The Value of Customers’ Data Practices”

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Session papers:

Paper 1: “How Cultural Differences Affect Consumers’ Privacy and Willingness to Share Personal Information”

Christopher Schumacher (*Presenting Author*), University of St. Gallen in Switzerland, Peter Maas, University of St.Gallen, Switzerland.

Paper 2:

“Did GDPR Close the Gap? How Large Is the Gap between Companies’ and Users’ Optimal Cookie Banners”

Julia Schmitt (*Presenting Author*), Goethe University Frankfurt, Germany
Klaus Miller, Goethe University Frankfurt, Germany
Bernd Skiera, Goethe University Frankfurt, Germany

Paper 3:

“Do Companies Say about Privacy What They Actually Do?”

D’Assergio Caterina (*Presenting Author*), University of Bologna, Italy
Puneet Manchanda, Ross Business School, USA
Elisa Montaguti, University of Bologna, Italy
Sara Valentini, University of Bologna, Italy

Discussants:

P.K. Kannan, Robert H. Smith School of Business, University of Maryland, USA
Bernd Skiera, Goethe University Frankfurt, Germany

Declaration:

Each presenter has agreed to register for the conference and to present the paper, if the proposal is accepted; and none of the papers has been submitted to other conference tracks, and none have previously been presented at EMAC.

Abstract: Privacy: The Value of Customers' Data Practices

The introduction of the GDPR in Europe, which came into force in May 2018, has been considered the biggest shake-up to data privacy in the last twenty years. To comply with the GDPR, firms have adopted tools enabling them to keep on harvesting data while fulfilling new legal requirements such as displaying cookie banners to users on websites, and explicit opt-in/out requests through re-permission emails. Indeed, consumers have been exposed to a large volume of requests aimed at obtaining consent to individual types of data processing and about their cookies banners. This has attracted consumers' attention to the value of their personal information for firms, and lead them to possibly question their willingness to disclose private information. This implies the need for research on the effects that privacy and security regulations have on consumer behavior, as well as firms' behaviors, as privacy and propensity to disclose personal data have become critical issues for big data analytics in marketing (Wedel and Kannan 2016). The purpose of this special session is threefold. First, it aims to explore which factors influence consumers' propensity to share their data with a particular focus on cultural differences. Second, to investigate how the tools implemented to obtain customers' permission to use personal data improve transparency or instead are mainly preserving firms' ability to harvest data despite and beyond the existing regulation. Third, we will discuss how privacy and security regulations will shape marketing discipline and future research agenda.

The **first paper** titled "*How Cultural Differences Affect Consumers' Privacy and Willingness to Share Personal Information*" by Christopher Schumacher and Peter Maas aims to test how cultural differences across countries systematically moderate the relationship between consumers' privacy calculus and consumers' willingness to share personal information. They develop a conceptual framework that proposes the main and moderating effects of cultural differences on consumers' willingness to share personal information.

The **second paper** titled “*Do Companies Say about Privacy What They Actually Do? focusing on cookies banners*” by Julia Schmitt, Klaus Miller, and Bernd Skiera focuses on requirements for implementing cookie banners in firms’ websites. The purpose of this paper is to develop a scale to arrange different cookie banners and to quantify the extent to which the GPDR made cookie banners converge towards the users’ most favorable designs, represented by the legal requirements.

The **third paper** titled “*Do Companies Say about Privacy What They Actually Do?*” by Caterina D’Assergio, Puneet Manchanda, Elisa Montaguti, and Sara Valentini focuses on the relationship between re-permission emails and firms’ data harvesting strategies. The purpose of this research is to understand whether there is a relationship between the themes characterizing a firm’s re-permission emails and the amount of data that it collects from and about its users (i.e. the number of marketing cookies).

The special session will include a panel of two discussants: P.K. Kannan (University of Maryland) and Bernd Skiera (University of Frankfurt). P.K. Kannan and Bernd Skiera's research expertise is on marketing analytics, modeling, machine learning in data-rich environments with special focus on digital and mobile tools. We believe that given their extended expertise in these areas of research, they will significantly contribute to the topic of this special session.

How Cultural Differences Affect Consumers' Privacy Calculus and Willingness to Share Personal Information

Christopher Schumacher (*Presenting Author*) and Peter Maas,
University of St.Gallen, Switzerland.

1. Introduction

As data are on the verge of becoming the world's most valuable resource, organizations increasingly collect and analyze consumer data to optimize their marketing efforts. While antecedents and consequences of consumers' willingness to share personal information have been re-searched exhaustively, there is a lack of research that investigates how cultural differences across countries affect both consumers' privacy calculus and willingness to share personal information. Consumers' privacy calculus is referred to as a trade-off between positive and negative consequences when sharing personal information (Dinev & Hart, 2006). The purpose of this study is to test how cultural differences across countries systematically moderate the relationship between consumers' privacy calculus and willingness to share personal information.

2. Conceptualization

We develop a conceptual framework that proposes main and moderating effects of cultural differences on consumers' willingness to share personal information. We test our hypotheses using multilevel modeling on data collected from 15,068 consumers from 24 countries. Based on the work of Gupta, Iyer, and Weisskirch (2009), we develop a formative scale to measure consumers' willingness to share personal information. Consumers' privacy calculus is measured using the PRICAL scale developed by Beke, Eggers, Verhoef, and Wieringa (paper under review). The PRICAL scale incorporates six dimensions. Lastly, we operationalized cultural differences using Hofstede's value dimensions (Hofstede, Hofstede, & Minkov, 2010).

The six dimensions of the PRICAL scale as developed by Beke et al. (n.d.) include:

Performance: The potential consequences for consumers resulting from the collection, storage, and usage of information by firms that relate to the quality of products or services, or the match between products and services and the need of consumers (Mithas, Krishnan, & Fornell, 2005; Simonson, 2005; Lacy, Suh, & Morgan, 2007; Frow, Payne, Wilkinson, & Young, 2011; Wedel & Kannan, 2016).

Time: The potential consequences for consumers resulting from the collection, storage, and usage of information by firms that relate to the amount of time or effort needed for consumers when dealing with the firm (Ackermann, Cranor, & Reagle, 1999; Smith, Gleim, Robinson, Kettinger, & Park, 2014).

Financial: The potential consequences for consumers resulting from the collection, storage, and usage of information by firms that relate to the monetary gains and losses when dealing with the firm (Acquisti & Varian, 2005; Leenheer, Van Heerde, Bijmolt, & Smidts, 2007; Premazzi, Castaldo, Grosso, Raman, Brudvig, & Hofacker, 2010; Hille, Walsh, & Cleveland, 2015).

Psychological: The potential consequences for consumers resulting from the collection, storage, and usage of information by firms that relate to consumers' feelings with regards to the firm, their personal information, and their own lives in general (Smith, Milberg, & Burke, 1996; Edwards, Li, & Lee, 2002; White, 2004; Hong & Tong, 2013; Smith et al., 2014).

Social: The potential consequences for consumers resulting from the collection, storage, and usage of information by firms that relate to consumers' interpersonal status and relationships with friends and family (White, 2004; Jiang, Heng, & Choi, 2013).

Security: The potential consequences for consumers resulting from the collection, storage, and usage of information by firms that relate to the unintended disclosure or exchange of information, or the unauthorized use of information by (unknown) third parties (Smith et al., 1996; Malhotra, Kim, & Agarwal, 2004; Hong & Tong, 2013).

Did GDPR Close the Gap? How Large Is the Gap between Companies' and Users' Optimal Cookie Banners

Julia Schmitt (Presenting Author), Klaus Miller, Bernd Skiera

Goethe University Frankfurt

Due to the increased data collection, users started to lose control over their data. To better protect the consumer privacy, policymakers started to draft and enforce privacy regulations like the EU General Data Protection Regulation (GDPR, 2016/679). A major part of these regulations aim at enabling users to make a more informed choice regarding data disclosures, requiring companies to fulfill stricter transparency and consent requirements.

The main tool to implement these requirements is displaying cookie banners to users on websites (Cookiebot, 2019). However, the existing cookie banner designs differ largely, i.e. in the appearance, content, and clickable options on the banner. Furthermore, many websites are not GDPR-compliant (Matthews, 2018). Consequently, the question arises of how the distribution of existing banner designs differs from the most favorable designs for users, and whether this potential gap is different before and after the enforcement of a privacy regulation. This aforementioned gap might indicate whether the cookie banner requirement reached its aim.

Research on how websites handle privacy has been focusing on the framing and level of compliancy of privacy policies (e.g. Chua et al. (2017), Moscato et al. (2013)). Regarding the effect of privacy regulations, research has mainly focused on the effect on online marketing or internet traffic (e.g. Goldfarb/Tucker (2011), Goldberg et al. (2019)). Empirically analyzing cookie banner distributions has not received a lot of attention so far. Recently, Degeling et al. (2019) conducted a study to examine the empirical distribution of cookie banners of the top 500 websites of all EU states from January to October 2018, comparing a pre- and post-GDPR distribution. They find that the share of websites having a cookie banners increased by around 16pp.

In this paper, the authors develop a scale to measure the score of each banner design for users. They then analyze the cookie banner designs on over 7,000 websites regarding the banners’ visual information, content and clickable actions before and after the GDPR enforcement and arrange them on the scale. Finally, the paper aims to measure the extent to which the GDPR succeeded in reducing the gap between the empirical cookie banner distribution and the user’s most favorable banner designs, represented by GDPR’s requirements. To illustrate the research approach, see Figure 1:

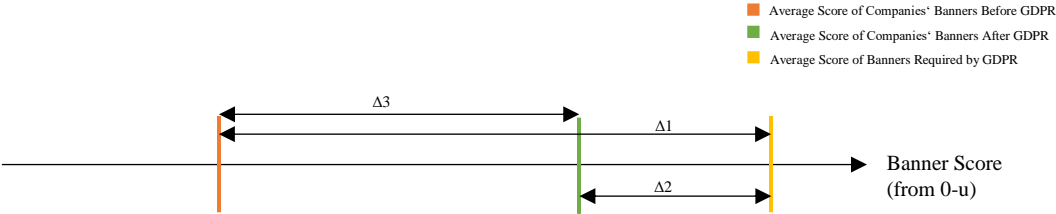


Figure 1: Outline of Cookie Banner Design Difference Calculation

The authors analyze the gap between the scores from the empirical banner design distribution before and after the GDPR enforcement and the legal requirements introduced by GDPR ($\Delta 1$ and $\Delta 2$). The before-after-comparison of these gaps indicates the extent to which the GDPR managed to converge the banner designs in practice towards the legal requirements ($\Delta 3$). These analyses provide policymakers with an understanding of the effect of the requirements and whether the existing banner designs pose to be a problem for users and therefore policymakers. Thus, this analysis can be a start to evaluate whether GDPR reached its desired aim.

To quantify the aforementioned gaps, the authors develop a scale to arrange cookie banner designs based on the respective score of the banner designs. The authors utilize a large dataset of the classification of cookie banner designs of 7,363 websites (top 1,000 websites of 14 countries) on April 25th, 2018 and June 30th, 2019. The design classification of these banners is based on 9 characteristics, resulting in 1,537 possible designs (Figure 2), and covers a pre- and post-GDPR period.

First, the authors determine the most favorable banner designs for users (Figure 3). The authors orientate the most favorable characteristics values based on the GDPR as the regulation states that the requirements are designed to “serve mankind” (GDPR, 2016/679) and therefore can be assumed to represent the users’ best interest.

Characteristic	Value of Characteristic
Existence of Notice	Yes / No
Position of Notice	Top of Website Middle of Website Bottom of Website
Explanation of Data Usage	First Party Usage Explained Third Party Usage Explained First and Third Party Usage Explained No Explanation
Consent Information	Consent by Usage Consent by Click Consent According to Browser Settings No Information
More Information Link	Yes / No
Close Option	Yes / No
Opt-In Option	Yes / No
Opt-Out Option	Yes / No
Set Preferences Option	Yes / No

Figure 2: Banner Design Characteristics

	User interests $\hat{=}$ GDPR
Existence of Notice	Yes
Position of Notice	No preference
Explanation of Data Usage	1 st & 3 rd Party
Consent Information	Consent by Click
More Information Link	Yes
Close Option	No preference
Opt-In Option	Only in combination with Opt-Out Option
Opt-Out Option	Yes
Set Preferences Option	Yes

Figure 3: GDPR Requirements for Cookie Banners

Then, the score of each cookie banner design for users is calculated by summing up all part-worth utilities for a certain combination of the cookie banner characteristics. For illustration purposes, the part-worth of each characteristic is 1 if it is equal to the user interest and 0 if it is not, resulting in a scale from 0-9. In the future, this scale will be refined and based on the characteristics' effects on different user engagement metrics. Based on this calculation, the score of the cookie banners before and after the enforcement of GDPR are then arranged on the scale. Based on the described approach, the authors find the following score distribution (Figure 4):



Figure 4: Empirical Cookie Banner Design Distribution

Empirically, there is a high difference between the banners and the legal requirements of GDPR before and after the regulation as the majority of websites do not fulfill the consent nor transparency requirements. However, the GDPR enforcement increased the score of cookie banners as the difference $\Delta 2$ is smaller than $\Delta 1$. When only looking at websites that display cookie banners, it is apparent that those websites tend to display more favorable banners, on average ($u_{\text{before}}=1.525$; $u_{\text{after}}=2.044$).

These findings suggest that the majority of companies did not design the cookie banners in the way that the GDPR aimed for. Firstly, most companies did not implement a cookie banner at

all. Secondly, many of the cookie banner designs that are used are not fully compliant to the legal requirements. Therefore, there continues to be a large gap between the cookie banner designs and legal requirements, showing that GDPR did not fully achieve its aim – to enable users to make a more informed choice regarding data disclosures. Cultural differences were operationalized using Hofstede’s value dimensions (Hofstede et al., 2010).

Power Distance describes how societies handle power inequalities, i.e., to what extent individuals can influence others’ ideas and behaviors (Hofstede et al., 2010). Individuals in countries with higher Power Distance expect and accept hierarchies. Contrarily, individuals in countries with lower Power Distance strive to equalize power inequalities.

Masculinity (vs. Femininity) describes how competitive and tough a society and its culture are (Hofstede et al., 2010). In societies with higher Masculinity, achievements, assertiveness, heroism, success, and rewards are crucial factors. Societies with lower Masculinity are referred to as feminine and emphasize cooperation, solidarity, modesty, quality of life, and caring for others.

Uncertainty Avoidance describes the extent to which societies feel threatened by uncertainty and ambiguity (Hofstede et al., 2010). In societies with higher Uncertainty Avoidance, individuals try to control the future and maintain rigid behaviors and beliefs. In societies lower on Uncertainty Avoidance, practice is more important than principles. Individuals have rather relaxed attitudes, can cope with unstructured settings, and prefer to improvise.

Long-Term Orientation describes how societies maintain some links with the past while also dealing with the future (Hofstede et al., 2010). In long-term oriented societies, individuals invest and prepare for the future and accept delayed gratification of needs and efforts. In short-term oriented societies, individuals mistrust societal change and stick to traditions and norms. They live in the now and try to get an advantage whenever possible.

We excluded the two dimensions, Individualism and Indulgence, as they were highly correlated with Power Distance and Long-Term Orientation, respectively.

3. Key Contributions

First, this paper empirically tests the PRICAL scale developed by Beke et al. (n.d.) on a global level. Second, we assess the influence of cultural differences across countries on both consumers’ privacy calculus and willingness to share personal information. This is especially important as privacy regulations differ from country to country (Holtrop, Wieringa, Gijzenberg, and

Verhoef, 2017). As this study is work in progress, we are happy to present our findings at the EMAC Conference. References are available upon request.

Do Companies Say about Privacy What They Actually Do?

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Puneet Manchanda, Ross Business School, USA

Elisa Montaguti, University of Bologna, Italy

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To regulate people's right to protect their privacy, on the 25 of May 2018, the EU has introduced a data protection regulation (GDPR) that offers EU citizens a shelter for their personal information by requesting companies to explain how people's information is used clearly. As a consequence, European and non-European companies interacting with E.U. citizens undertook a massive data re-permission-request campaign (involving letters, emails or SMS messages) just before the introduction of the GDPR. This colossal wave of simultaneous requests represents a unique opportunity for researchers to understand how companies across industries and countries chose to frame a very contentious request to their potential and existing customers and investigate whether and how the themes firms' used map into their actual strategies to collect data (harvesting strategies)

Research on how data can be requested has been focusing mainly on the clarity of the message, its framing and the presence of financial and non-financial incentives. For instance, Catalini and Tucker (2017) show that the provision of a clearly stated privacy policy leads to increased trust and reduces privacy concerns, which positively influence the probability to grant access to personal data. Similarly, Chellappa and Sin (2005) and Athey, Catalini, and Tucker (2017) showed that people are more inclined to grant firms with information when they receive both monetary and non-monetary incentives. By contrast, Krafft, Arden, and Verhoef (2017) report that both monetary incentives and lotteries do not affect influence consumers' likelihood to release data. Prior work has also highlighted the role of framing in increasing data disclosure. For instance, John, Acquisti and Loewenstein (2011) show that the disclosure of private information is responsive to environmental cues such as the way in which people are asked –

direct vs. indirect questions, the way in which the form to be filled is designed—professional vs. unprofessional and, the initial prompt of the request—evocating or not privacy concerns. Although prior work suggests that the themes used to request consumers' data affect actual re-permission, it is still unclear whether firms' requesting themes links with their data harvesting strategies and to what extent.

The main purpose of this study is twofold. First, we would like to understand how firms articulated their requests for data and develop a taxonomy of the main themes used. Second, we intend to examine if and how firms preferred topics relate to their data harvesting strategies.

Data

To respond to these research questions, we created a unique dataset of 1510 re-permission emails sent by European and non-European companies on the occasion of the introduction of the GDPR, on May 25, 2018. Part of the data was collected by conveniently sampling a network of consumers close to the authors. A panel of Prolific's respondents was then asked to transfer their re-permission emails in exchange for a monetary incentive to integrate the sample. Basing on this procedure, we obtained 1510 unique re-permission emails sent by 1416 different companies.

Empirical Analysis

In order to identify how companies designed their communication campaigns to get opt-in consent, we content analysed our re-permission emails using three alternative approaches: Latent Dirichlet Allocation (LDA) models, text analysis programs (e.g. LIWC), and manual coding done by three independent coders (average agreement=88%; pooled-kappa=0.85) on a sub-sample of the dataset (300 emails). As a result, we identified several themes and factors characterizing re-permission emails, including transparency, control, presence of gain and or loss frames, present/past/future orientation, and presence of monetary and non-monetary marketing incentives.

We then moved to examine companies' data harvesting strategies by focusing on the number and types of cookies (necessary, statistical, preference, and marketing) present on their webpages. Data were obtained through a collaboration with Cookiebot.com that randomly scans the first 1000 pages of each company's domains. Data were collected on different days to control for differences in the cookies' count due to the subsample of pages selected for a particular

domain. We then matched the number of cookies declared by each firm in their cookies policy with the number we obtained from Cookiebot.com

To analyze our data, we specified three negative binomial regression models using as dependent variables respectively a firm's number of marketing cookies used by each company (Cookiebot), the number of cookies declared and the difference between the two; and as independent variables, the different themes elicited through the NLP techniques and content analysis. We also included control variables about the firm (i.e., industry, country, and the number of employees), as well as the Alexa Ranking Score that is an estimate of websites' popularity.

Our preliminary findings indicate that several themes are significantly associated with the number of marketing cookies companies are using. For example, transparency and gain-based framing are positively associated with the negative difference between observed vs. declared cookies, whereas control correlates with the positive difference between observed vs. declared cookies.

Conclusions

We believe that our research provides some useful documentation on how EU companies went on asking their customers' permission to use data offers. More importantly, our analysis of the main themes used in re-permission email represents a first step for both academics and practitioners to understand if and how companies' data policies and communication strategies link consistently with companies' data strategies.

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