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Volume 8 Issue 1 January 2011

## MMA discuss 'comprehensive mobile privacy guidelines'

*Mobile Marketing The Association (MMA), the global non-profit association for the mobile marketing industry, will discuss plans to develop 'a comprehensive set of mobile privacy guidelines' at its Consumer Best Practices Forum, on 26 January.*

The MMA announced at the end of 2010 it would work with the mobile industry to develop mobile privacy guidelines to complement its Global Code of Conduct. 'The objective', read an MMA statement, 'is to address the growing need for marketers and consumers to have a transparent, accepted understanding as to how consumer information is used for the purposes of...mobile marketing'. According to Alan Chapell, Co-Chair of the MMA Privacy Committee, "as an emerging industry, there is a significant opportunity in the mobile space for all participants to proactively embrace the concept of privacy by design".

The MMA has not set a deadline for publication of the guidelines, however it placed 'personalisation and privacy' at number one on its 'top ten marketing trends to watch in 2011'. Some privacy experts predict that federal legislation could soon be passed in the US to regulate what is still perceived as a gap in regulatory coverage. Joseph Rosenbaum, Partner at Reed Smith and outside General Counsel at the Interactive Advertising Bureau, however does not expect such legislation to see the light of day this year. "There is a chance that recent behavioural advertising and marketing related activity by the Federal Trade Commission and Department of Commerce in the US could be extended to the mobile and wireless space", he said. "We are likely to witness hearings and discussions, and regulatory inquiries into mobile marketing, but I believe legislation and regulations are unlikely in 2011, absent a full and informed discussion among government and industry participants." According to Yaron Dori, a Partner at Covington & Burling in Washington DC, "the increased attention being paid by the entire wireless community to the development of MMA guidelines represents an understandable attempt by industry to demonstrate that government regulation in the mobile space is unnecessary". While not binding, the MMA guidelines will be important "as a practical matter", added Dori, "because they are the product of substantial input by the wireless carrier community, which tightly controls certain forms of traffic used heavily in marketing, such as text messages".

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