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Certified Information Privacy Professional/United States



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Question: 1

Which jurisdiction must courts have in order to hear a particular case?

- A. Subject matter jurisdiction and regulatory jurisdiction
- B. Subject matter jurisdiction and professional jurisdiction
- C. Personal jurisdiction and subject matter jurisdiction
- D. Personal jurisdiction and professional jurisdiction

Answer: C

Explanation:

In order for a court to hear a case, it must have both personal jurisdiction and subject matter jurisdiction. Personal jurisdiction refers to the authority of a court over the parties to a case, while subject matter jurisdiction refers to the authority of a court to hear a particular type of case. For example, a federal court may have subject matter jurisdiction over a case involving a federal law, but it may not have personal jurisdiction over a defendant who has no contacts with the state where the court is located. Similarly, a state court may have personal jurisdiction over a resident of the state, but it may not have subject matter jurisdiction over a case involving a foreign treaty. Reference: [IAPP CIPP/US Study Guide], Chapter 2: Introduction to U.S. Law, p. 25-26; Wex Legal Dictionary, Subject Matter Jurisdiction and Personal Jurisdiction.

Question: 2

Which authority supervises and enforces laws regarding advertising to children via the Internet?

- A. The Office for Civil Rights
- B. The Federal Trade Commission
- C. The Federal Communications Commission
- D. The Department of Homeland Security

Answer: B

Explanation:

The Federal Trade Commission (FTC) is the primary federal agency that regulates advertising and marketing practices in the United States, including those targeting children via the Internet. The FTC enforces the Children's Online Privacy Protection Act (COPPA), which requires operators of websites and online services directed to children under 13 to obtain verifiable parental consent before collecting, using, or disclosing personal information from children. The FTC also enforces the FTC Act, which prohibits unfair or deceptive acts or practices in commerce, such as making false or misleading claims in advertising. The FTC has issued guidelines and reports on various aspects of digital advertising to

children, such as sponsored content, influencers, data collection, persuasive design, and behavioral marketing. The FTC also hosts workshops and events to examine the impact of digital advertising on children and their ability to distinguish ads from entertainment. Reference:

FTC website

Digital Advertising to Children

IAPP CIPP/US Study Guide, Chapter 5: Marketing and Privacy, pp. 169-170

Question: 3

According to Section 5 of the FTC Act, self-regulation primarily involves a company's right to do what?

- A. Determine which bodies will be involved in adjudication
- B. Decide if any enforcement actions are justified
- C. Adhere to its industry's code of conduct
- D. Appeal decisions made against it

Answer: C

Explanation:

According to Section 5 of the FTC Act, self-regulation primarily involves a company's right to adhere to its industry's code of conduct. Self-regulation is a process by which an industry or a group of companies voluntarily adopts and enforces standards or guidelines to protect consumers and promote fair competition. The FTC encourages self-regulation as a way to complement its enforcement efforts and address emerging issues in the marketplace. The FTC also monitors self-regulatory programs and may take action against companies that fail to comply with their own codes of conduct or misrepresent their participation in such programs. Reference:

Federal Trade Commission Act, Section 5 of

Self-Regulation | Federal Trade Commission

[IAPP CIPP/US Certified Information Privacy Professional Study Guide], Chapter 3, page 79

Question: 4

Which was NOT one of the five priority areas listed by the Federal Trade Commission in its 2012 report, "Protecting Consumer Privacy in an Era of Rapid Change: Recommendations for Businesses and Policymakers"?

- A. International data transfers
- B. Large platform providers
- C. Promoting enforceable self-regulatory codes
- D. Do Not Track

Answer: D

Explanation:

The Federal Trade Commission (FTC) issued its 2012 report, “Protecting Consumer Privacy in an Era of Rapid Change: Recommendations for Businesses and Policymakers”¹, which outlined a framework for privacy protection based on three main principles: privacy by design, simplified consumer choice, and greater transparency. The report also identified five priority areas for the FTC’s privacy enforcement and policy efforts, which were:

Data brokers

Large platform providers

Mobile

Promoting enforceable self-regulatory codes

International data transfers

Do Not Track was not one of the five priority areas, but rather a specific mechanism for implementing the principle of simplified consumer choice. The report endorsed the development of a Do Not Track system that would allow consumers to opt out of online behavioral advertising across websites and platforms¹. The report also noted the progress made by various stakeholders, such as the World Wide Web Consortium (W3C), the Digital Advertising Alliance (DAA), and browser companies, in advancing the Do Not Track initiative¹. Reference: 1: Federal Trade Commission, Protecting Consumer Privacy in an Era of Rapid Change: Recommendations for Businesses and Policymakers (March 2012), available at 1.

Question: 5

The “Consumer Privacy Bill of Rights” presented in a 2012 Obama administration report is generally based on?

- A. The 1974 Privacy Act
- B. Common law principles
- C. European Union Directive
- D. Traditional fair information practices

Answer: D

Explanation:

The Consumer Privacy Bill of Rights is a set of principles that the Obama administration proposed in 2012 to guide the development of privacy legislation and policies in the United States. The report that introduced the bill of rights stated that it was “generally based on the widely accepted Fair Information Practice Principles (FIPPs)”¹, which are a set of standards that originated in the 1970s and have influenced many privacy laws and frameworks around the world. The FIPPs include concepts such as individual control, transparency, security, accountability, and data minimization². The Consumer Privacy Bill of Rights adapted and expanded these principles to address the challenges and opportunities of the digital economy¹. Reference: 1: Consumer Data Privacy in a Networked World: A Framework for Protecting Privacy and Promoting Innovation in the Global Digital Economy², page 92: IAPP CIPP/US Certified Information Privacy Professional Study Guide³, page 17.

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