

**LEGITIMATE INTEREST ASSESSMENT -
ANALYSIS REGARDING THE EXISTENCE OF A LEGITIMATE
INTEREST IN THE PROCESSING OF PERSONAL DATA**

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| Data controller: | RTB House S.A. and other joint controllers from RTB House corporate group as outlined in RTB House's Services Privacy Policy (" RTB House " or " controller ") |
| Applies to the processing activity: | Processing of personal data of website users under the IAB Transparency & Consent Framework (" IAB TCF ") mechanism to ensure security, prevent and detect fraud, and fix errors in RTB House's advertising technology (special purpose 1) |
| Author of the assessment: | Przemysław Szymański |
| Date of assessment: | 01.12.2019 |
| Assessment revisions: | 22.06.2023, Kajetan Ostoja-Ciemny |
| DPO revision assessment: | Katarzyna Kamińska |
| DPO revision date: | 26.06.2023 |

1. Assessment of legitimate interest

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| <p>What does the processing of personal data consist of?</p> <p>What is the purpose of the processing of personal data?</p> <p>What is the controller's interest in processing the personal data?</p> | <p>The processing consists of monitoring website users' interactions with advertisements displayed by the controller, including actions such as: detecting and blocking invalid traffic generated by software, detecting and blocking manipulated human-generated traffic or traffic generated for the purpose of receiving remuneration (incentivized traffic), detecting and blocking falsified measurement events, detecting and blocking domain misrepresentation, detecting hidden advertisements, detecting and fixing errors in RTB House technology (without enhancement), ensuring the smooth operation of the RTB House platform.</p> <p>The purpose of the processing is to ensure security, prevent and detect fraud, and fix errors in RTB House technology.</p> <p>The controller's interest is in detecting and preventing activities aimed at manipulating traffic to the publisher's website and thereby guaranteeing accurate financial calculations based on actual and reliable data on visits to the</p> |
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| | <p>publisher's website. The interest is also to guarantee the smooth operation of the platform operated by RTB House and to fix any errors detected.</p> |
| <p>Is the legitimate interest, ie:</p> <ul style="list-style-type: none"> - is it legitimate? - Is it sufficiently specific to enable a balancing test to be performed? - Is it a genuine interest (i.e. not speculative)? | <p>Yes, the interest is legitimate, sufficiently specific and genuine.</p> |
| <p>What is the nature of the controller's legitimate interest in processing the data?</p> <p>Are there any benefits to the wider public or of a public nature from the processing?</p> | <p>The controller's legitimate interest is economic in nature - it is about ensuring correct settlements with business partners and clients and ensuring the smooth operation of the controller's platform.</p> <p>The processing does not involve benefits for the wider public.</p> |
| <p>What is the possible prejudice to the controller, third parties or the wider public if the processing does not take place?</p> <p>What is its severity?</p> <p>How important are the identified benefits of the processing?</p> | <p>If the processing did not take place, third parties could generate false interactions with the controller's advertisements by means of malware prepared for this purpose or people employed for this purpose. For the clients, this would result in inflated costs for the services offered without any real added value - i.e. interaction with the ad and transferring the user to the advertiser's website. An artificially high number of clicks would also cause the controller to wrongly believe that the purchased advertising space is attractive, which could involve incurring unjustified expenses for the purchase of such space.</p> <p>If, on the other hand, the controller did not have the processing capacity to detect errors in its platform, this could be associated with a deterioration of its performance, significant damages to the controller's financial results and, in the long term, a loss of reputation among clients and potentially the termination of business relationships with clients and other partners. The severity of the damage depends on the scale and type of fraudulent use. It can be very high if strategic partners of the</p> |

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| | controller are affected. The benefits associated with processing are related to the core service offered to the controller's clients and are therefore fundamental. |
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2. Assessment of the necessity of the processing

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| <p>Is it possible to achieve the purpose without processing the personal data?</p> <p>Is it possible to achieve the purpose with less data processing or processing in a less privacy intrusive manner?</p> | <p>No. The processing of personal data is necessary to achieve the purposes determined by the controller.</p> <p>In the controller's view, the principle of data minimisation has been met and it is not possible to achieve the purpose with less data processing.</p> <p>Crucially, RTB House does not process any personal data which could allow for direct identification of a data subject.</p> |
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3. Assessment of the balance / primacy of interests

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| <p>Who are the data subjects?</p> <p>What is the relationship of these data subjects to the controller?</p> | <p>The data subjects are users of the websites on which the controller's advertisements are displayed. The controller has no relationship with these people.</p> |
| <p>What is the scope of the personal data being processed?</p> <p>Is data that can be considered particularly 'private'?</p> <p>Is the data relating to individuals personal or professional?</p> | <p>The scope of the data processed includes:</p> <ul style="list-style-type: none"> - IP addresses - Device characteristics - Device identifiers (e.g. cookieID, mobile advertising ID) - Browsing and interaction data - Non-precise location data <p>The above list of categories is based on the IAB TCF 2.2 taxonomy. The detailed scope information included in each category is included in the IAB TCF Policies.</p> <p>The data relating to individuals could be qualified as relating to personal or professional life.</p> |
| <p>How will the personal data be processed?</p> | <p>The processing of personal data consists of analysing the frequency of clicks on the controller's advertisements by individual users using the controller's software.</p> |

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| <p>Will the intended processing be carried out in an innovative way?</p> | <p>The processing is not carried out in an innovative way.</p> |
| <p>Reasonable expectations of the data subject:</p> <p>Does the data subject have a reasonable expectation of such processing?</p> <p>Were data subjects informed of this purpose when the data was collected?</p> <p>How long ago was the data collected?</p> <p>Is the intended purpose and manner of the processing widely understood?</p> <p>Is there any evidence regarding the reasonable expectations of data subjects (e.g. from market research, other forms of consultation)?</p> <p>Are there other circumstances indicating that data subjects will not expect the processing?</p> | <p>Data subjects can reasonably expect that their personal data will be processed for the purposes described by the controller.</p> <p>The reasonable expectations can be a result of three phenomena.</p> <p>Firstly, data subjects who enter the digital properties of the publisher will be provided with information related to the controller’s processing activities. This will be most commonly achieved via information visible in the Consent Management Platforms that contain a direct link to RTB House’s privacy notice. Moreover, RTB House concludes contracts with publishers and Supply Side Platform in which these entities declare that RTB House’s privacy notices will be provided to the data subjects.</p> <p>Secondly, each ad that is displayed by RTB House contains an interactive logotype which the user can use to access both the opt-out feature and the privacy notice.</p> <p>Thirdly, it seems that in case if the user interacts with the ad, he/she can reasonably expect that the controller needs to verify whether the interaction is valid and comes from a legitimate source.</p> <p>Data is collected on an ongoing basis.</p> <p>To date, there is no market research known to the controller regarding the expectations of people with regard to the described data processing. The intended purpose and method of processing will be explained to data subjects. It also appears that people who click on an advertisement and want to see the product offered by the advertiser can reasonably expect the processing of data related to their clicks on the advertisements of the controller.</p> |

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| | It is not excluded that some data subjects may not expect processing. |
| <p>Impact of the processing on the data subject:</p> <p>What might be the effects (negative or positive) of the processing on the data subject?</p> <p>Could the processing lead to a loss of control over the data subject's use of the personal data?</p> | <p>The processing primarily involves analysis of the frequency of clicks on the advertisements of the controller. The processed data is not of a sensitive nature. There appear to be no negative effects of the processing on the data subject. Among the positive effects, the correct operation of the controller's advertisements can be pointed out, and thus of advertisements better tailored to the user's preferences.</p> <p>The processing described does not lead to a loss of control over the data subject's use of the data.</p> |

4. Additional measures to protect the rights and freedoms of the data subjects

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| <p>What additional safeguards will the controller apply?</p> | <ul style="list-style-type: none"> • The data subject can block the display of advertisements by the controller. • Data subjects will be informed of the processing by the controller. • The controller has implemented appropriate technical and organisational measures to ensure the security of the personal data processed in the controller's IT systems. |
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5. Final assessment of the legal basis

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| <p>Given the above circumstances, is the controller's interest in the processing at least equivalent to the data subject's rights, freedoms and interests?</p> | <p>The controller's interest in processing personal data to ensure security, prevent and detect fraud, and fix errors in RTB House's advertising technology is at least equivalent to the rights, freedoms and interests of the data subjects.</p> |
| <p>Possible additional commentary</p> | <p>No</p> |

6. Opinion of the Data Protection Officer

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| Opinion of the DPO | I hereby agree with the Data Privacy Team's standpoint on legitimate interest assessment of processing personal data within mechanisms to ensure security, prevent and detect fraud, and fix errors in RTB House's advertising technology (special purpose 1 within the meaning of IAB Transparency & Consent Framework). The controller has an legitimate interest in processing personal data of users for abovementioned purposes and their rights, freedoms and interests do not outweigh this interest. Therefore, the personal data processing in question may be based on legal basis specified in Article 6 section 1 letter f) of the GDPR. |
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