



## Our Cheeky Little Cookies Notice

September 17<sup>th</sup>, 2018

So you're from Europe and you've landed on yet another cookies consent page – welcome! The author of this notice is also based in Europe and, like you, has waded through more cookies notices in the past few months than she cares to remember. Since we have to explain our cookies to you anyway, and we like to blog about European data protection law, we thought we might look at the cookies consent phenomenon a bit more broadly . . . .

### ***How did I end up here?***

The fact that you are here means that we have reason to think that you are viewing our website from Europe (more on geolocation later), so we need to ask for your consent to our cookies. (Yep, we really do. The law says so. We'll explain, we promise.) Or you just might be the curious sort from somewhere else and clicked on our cookies notice to find out what goes on behind the scenes on our website. (Cookies groupies are welcome too!)

### ***If I see one more cookies consent . . .***

If you are from Europe and you've been surfing the web after 25 May 2018, you already know the drill. There you are, just trying to get some information from the web, and practically every website makes you click through a bunch of gobbledegook about cookies before you can read the stuff you came for. Although you've noticed that some websites just have a banner (just like in the pre-GDPR days) that says if you use the website, you are accepting cookies. And some US websites just won't let you in at all!

### ***Why are we being subjected to all of this?***

It all comes down to the GDPR's<sup>1</sup> new consent standard being applied to the old cookies rules under the EU law that's known as the ePrivacy Directive<sup>2</sup>. Ever since 2009, it's been the law that consent is required prior to placing data on a user's device. However, many companies were satisfied with implied consent – such as a discreet little cookies banner that told people that cookies were in use, and said that if users continued to use the site, that meant that the users consented to cookies. As of 25

---

<sup>1</sup> The GDPR is the General Data Protection Regulation, so-called because the full title is a mouthful: REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC. But you knew that, didn't you?

<sup>2</sup> The cookies consent requirement was sharpened up in 2009 by the DIRECTIVE 2009/136/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 November 2009 amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws. Now *that's* a title.



May 2018, that approach no longer works, because the consent required to place cookies now needs to meet the GDPR's standard: Consent isn't valid unless it is a "freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her."

So we need to make sure you are informed about our cookies and that you do something affirmative to demonstrate that you agree with our using cookies. (Except for "strictly necessary" cookies, that is.) Oh, and now organizations face the risk of huge (fantastically huge) fines if they breach EU data protection laws, so taking a flyer on implied consent is a less popular choice these days.

Hence cookies opt-ins have sprung up like mushrooms.

**Our cookies dashboard explains what cookies we would like to set if you give your consent.** Of course, we don't request your consent for cookies that are necessary to display content that you have requested or to provide other function that you have requested while interacting with our site.

**You can always revoke your consent by visiting the dashboard again.** Another option is to change your web browser settings to reject cookies. You should be able to find out how to do this under the "settings" (or "advanced settings") menu in your browser. If the information is tough to find, try using your favorite search engine to look up how to reject cookies using your particular browser. One tip: If you set your web browser to reject all third party cookies, the result may be that you can't opt out of some cookies because the opt-out is recorded in a cookie!

For more information on cookies generally (in a range of European languages) and how to opt out of many common cookies (which are not necessarily used on our website), have a look at <http://www.youronlinechoices.com/>.

### ***What do our cookies do?***

The answer depends on the category of the cookie. There's more information in our cookies dashboard, but here's a summary of the categories we use and what the cookies do:

***Necessary Cookies.*** We use some cookies to provide the essential functions of our site, such as displaying content or making web forms work (such as when you request information from us via the site). For example, we are required by EU law to request consent from EU users to the cookies described below, so we use geolocation information (based on truncated IP addresses) to figure out which users are in the EU and a cookie to record whether or not the user gave consent. The cookie that records whether or not the EU user has given consent is a necessary cookie.



**Functional Cookies** Functional cookies make things work better on our site, but they aren't strictly necessary to display content or make the site work, so we request your consent to use them. If you don't consent, some features on the site may not work, or may not be as slick as they otherwise would be.

**Analytical Cookies.** These cookies let us gather and analyze aggregate data, which means that information about your use is combined with lots of other users and analyzed without identifying any individual. We use this information to determine what browsers our users tend to use (so we can optimize the site), which parts of our site are most useful to users, and generally to improve our site. The analytical cookies that we use are provided by Google Analytics and other service providers as listed on our cookies dashboard.

By the way, we do not currently use marketing cookies.

***So that's us and cookies. But by the way, cookies aren't the end of the story.***

Many websites use additional technologies to recognize (and sometimes track) users, including pixel tags, beacons and device fingerprinting. What are these mysterious technologies? Pixel tags are tiny, essentially invisible images (one pixel in size) that allow someone to determine when a web page has been loaded or an e-mail has been opened. Beacons come in different flavors, but the basic idea is that a beacon causes a device to emit a signal that can be picked up by other devices in the vicinity. As one example, ultrasound beacons use a high-pitched audible signal that a device emits when a web page is loaded – the other devices around you can detect it, but you can't hear it. (Dogs, apparently, might. Or maybe that's an internet urban myth.) Device fingerprinting involves "reading" information about your device (like the IMEI number of a phone, which is a unique 15-digit number), your browser settings, and so on, to distinguish one device from all others.

These technologies are interesting (not the least, from a privacy perspective) but our site doesn't use these technologies. We thought you might like to know about them, because the EU's cookies rules also extend to these technologies.

***Questions or concerns?***

If you have any questions or concerns about this Cookies Notice or the cookies on our website, please contact us using the information provided in our [GDPR Privacy Notice](#)

***Cookies we use***

Provider

[Google Analytics](#)

Name	Type	Duration	Description
------	------	----------	-------------



MINTZ

_ga	Analytical	2 years	This cookie is used to identify unique visitors by assigning a randomly generated number as a client identifier (“Client ID”). It is the main centerpiece cookie because it calculates visitor, session and campaign data for the site’s analytics reports.
_gid	Analytical	24 hours	This cookie stores and updates a unique value (“Session ID”) for each page a user visits. It groups the entire session’s data together for each individual user. The cookie changes with each session and expires after 24 hours.
_gat	Analytical	1 minute	
AMP_TOKEN	Analytical	30 minutes to a year	This cookie uses a token to identify the Client ID. It allows Google Analytics to identify whether the same user is accessing the site from different origins (e.g. user visited site from Google search or went to site URL directly).
_gac_<property-id>	Analytical	90 days	This cookie contains campaign information related to the user. If a user’s Google Analytics and Google Ads accounts are linked, Google Analytics will read this cookie unless the user opts out.
_utma	Analytical	2 years	This cookie is used to distinguish between users and sessions. It is used to calculate new and returning visitor statistics. This cookie is updated every time data is sent to Google Analytics.
_utmt	Analytical	10 minutes	This cookie is used to throttle the request rate for Google Analytics – limiting the collection of data on high traffic sites. It does not store user data and expires after ten minutes.
_utmb	Analytical	30 minutes	This cookie determines new sessions and visits and expires



MINTZ

			after 30 minutes. Any activity by a user within a 30 minute lifespan counts as a single visit.
_utmz	Analytical	6 months	This cookie identifies the source of traffic to a site so Google Analytics can tell where users are coming from. It is stored for six months and is updated every time data is sent to Google Analytics.
_utmv	Analytical	2 years	This cookie is used when site owners create custom visitor variables for customizing what can be measured. If not removed this cookie is stored for two years.

[SiteImprove](#)

nmstat	Analytical	1000 days	This cookie holds a randomly generated id used to recognize the browser and is used to help record the visitor's usage statistics such as when the visitor last visited the site.
siteimproveses	Analytical	Session	This cookie is used to track the sequence of pages a visitor looks at during a visit to the site, and enable visitors to find relevant information quicker.
szcookiechoice	Analytical	Session	This cookie is used to determine if the user has accepted or declined cookies.
_cfduid	Analytical	Never	This cookie is used to identify individual clients behind a shared IP address and apply security settings on a per-client basis.

[Acquia](#)

tc_dnt	Functional	10 years	This cookie is set if a visitor has opted out of tracking and personalization. It remembers your previous choice to remain opted-out.
tc_3dnt	Functional	10 years	This cookie is set if a visitor has opted out of tracking and personalization. It remembers



MINTZ

			your previous choice to remain opted-out.
tc_3ptiexpiry_<MINTZLFCGP>	Functional	2 years	This cookie is used to allow the firm to modify the default two year expiration value of other analytical cookies.
tc_ptidexpiry	Functional	2 years	Variable tracking cookie used to set a custom expiration value apart from the default 2 years.
tc_3ptid_<MINTZLFCGP>	Functional	2 years	Randomly generated personal ID for new visitors to streamline and improve the visitor's site experience.
tc_ptid	Functional	2 years	Randomly generated personal ID for new visitors to streamline and improve the visitor's site experience.
tc_q	Functional	2 years	Used as a queue to store visitor activity collected by other cookies until they can be processed by our website marketing tools.
tc_ttid	Functional	30 minutes	Captures actual activity details performed by a visitor while navigating our site.
rac	Functional	30 minutes	Stores the list of visitor events (behavioral activity) conducted by the visitor such as clicks, fill in forms, and content view.
acquaLiftQueue	Functional	Session	Stores information about what a user does on our website (such as clicking links, filling in forms, or viewing particular content) until our content management system can process the information.
drupal-personalize	Functional	session	This holds a new session identifier value for the visitor in our website's content management system, Drupal.
has_js	Functional	Session	This cookie determines if JavaScript is enabled or disabled on the user's browser.
_tc_trackenabledtest	Necessary	Deleted after test is performed	This is a testing cookie deleted immediately after the site detemins if the browser is



			capable of setting cookies.
tc_nu	Functional	30 minutes	New visitor indicator

[Vimeo](#)

vuid	Analytical	2 years	This cookie is used to customize how Vimeo service videos are displayed and delivered per a visitors selected preferences.

[ClickDimensions](#)

cuid	Analytical	2 years	Assigns an id to each visitor to determine unique visitors.
cusid	Analytical	30 minutes	This cookie assigns an id to a visitor's session and maintains as long as the visitor maintains activity within the site.
cuvon	Analytical	30 minutes	Used to signal the last time a visitor viewed a page.
cd_optout_accountkey	Analytical	6 months	This cookie is generated if a visitor opts out of tracking and as long as it is present, we will not generate any web tracking data for this visitor.

[Mintz.com](#)

Mintz-industry	Functional	2 years	Used to store the selected industry id as selected by the visitor.
----------------	------------	---------	--