



June 7, 2013

The Honorable Joe Barton
2107 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Barton:

Thank you for your recent letter regarding Google Glass and for the opportunity to provide an in-person demonstration of the product and its functionality. Protecting the security and privacy of our users is one of our top priorities. We recognize that new technology is going to bring up new types of questions, so we have been thinking carefully about how we design Glass from its inception.

Our goal with Glass is to give users control, and we have gotten very positive reactions from those with first-hand experience of the product. As you saw when you wore Glass, it requires specific user actions to do things like search the Internet, find directions, or take a photo or video. Users say “OK, Glass” and then state commands like “Google” to search the Internet or “Get directions to” in order to chart a path to their destination. For photos and video, users press a button on the arm of Glass or say “Take a photo” or “Record a video.” These, and other built-in signals, in turn help other people understand what Glass users are doing. This video provides a good introduction to some of the basic functionality of Glass:

<https://www.youtube.com/watch?v=4EvNxWhskf8>.

Although Glass is not yet in full consumer release and it is still early days for the product, we believe first-hand experience with Glass will continue to help shape discussions in a positive direction for users and the public. That is why we launched the Google Glass Explorer program, which includes a diverse group of individuals participating in early field trials of the product. We are thinking carefully about all this feedback as we consider next steps.

Below you will find the answers to your questions. Please note that we are still actively working on Glass, so the information provided here may change prior to our full consumer release of the product.

Sincerely,

A handwritten signature in blue ink that reads "See Molinari".

Susan Molinari
Vice President, Public Policy and Government Relations
Google Inc.

1. In 2010, it was discovered that Google was collecting information across the globe from unencrypted wireless networks. This practice caused multiple investigations into the company along with consumers left perplexed. Google just recently agreed to pay \$7 million to settle charges with 38 states for the collection of data from unprotected Wi-Fi networks without permission. Google also admitted that they did not adequately protect the privacy of consumers and “tightened up” their systems to address the issue. While we are thankful that Google acknowledged that there was an issue and took responsible measures to address it, we would like to know how Google plans to prevent Google Glass from unintentionally collecting data about the user/non-user without consent?

Protecting the privacy and security of our users is one of our top priorities. Because Question 2 expounds on this question, please find our detailed response below.

2. What proactive steps is Google taking to protect the privacy of non-users when Google Glass is in use? Are product lifecycle guidelines and frameworks, such as Privacy By Design, being implemented in connection with its product design and commercialization? For example, if a Google Glass customer/user decides to resell or to dispose of their Google Glass product, would there be any product capabilities incorporated into the device to ensure that one’s personal information remains private and secure?

In response to Questions 1 and 2:

Protecting our users is one of our top priorities. We aim to provide the world’s strongest security and privacy policies, as well as easy-to-use tools. As we do for all our products, we are carefully reviewing the design of Glass for privacy considerations as part of Google’s comprehensive privacy program. This includes designing Glass with privacy in mind and ensuring Google has obtained appropriate consent from Glass users.

We have built Glass to put users in control. Users will have access to their own “MyGlass” site (www.google.com/myglass) and MyGlass mobile application, which will give them a place to monitor the status of their Glass, manage settings, and decide which items or applications will appear on Glass.

We have also built some social signals into the way Glass is used. These signals help people understand what users are doing, and give Glass users means for employing etiquette in any given situation. One important feature is that Glass requires user commands to take a photo or record video — actions that also cause the Glass screen to activate, which is visible to others. As you point out in your letter, some parties have already taken measures to address the use of existing technology — such as cell phones, laptops or cameras — in certain circumstances. We expect these types of rules to continue to evolve as more wearable technologies come to market.

Our commitment to putting users in control extends to the policies we’ve created for developers making applications for Glass, also called Glassware. For example, Google has said for several years that we won’t add facial recognition features to our products without having strong privacy protections in place. With that

in mind, we won't be approving any facial recognition Glassware at this time. We also prohibit developers from disabling or turning off the display when using the camera. The display must become active when taking a picture and stay active during a video recording as part of your application.

While we ask participants in our Explorer program not to sell or transfer their Glass, users who someday transfer Glass to others will have options for removing their content from the device. Glass displays items like photos, videos, and text messages in a timeline, along with a "delete" option to remove them from that timeline. The "delete" function is one way to remove content from Glass. Also, the MyGlass site and app mentioned above will give users the ability to disable specific items (including Gmail, Google+, and Now) from Glass and to perform a factory reset, which will wipe all of their data from the device. Users who lose their Glass can likewise make use of these MyGlass site and app features.

3. When using Google Glass, is it true that this product would be able to use Facial Recognition Technology to unveil personal information about whomever and even some inanimate objects that the user is viewing? Would a user be able to request such information? Can a non-user or human subject opt out of this collection of personal data? If so, how? If not, why not?

Google does not provide any facial recognition capabilities in Glass, and we will not be approving any facial recognition Glassware at this time. We've consistently said that Google won't add face recognition features to our own services unless we have appropriate privacy protections in place.

4. In Google's privacy policy, it states that the company "may reject requests that are unreasonably repetitive, require disproportionate technical effort ... risk the privacy of others, or would be extremely impractical." Please provide examples of when Google would reject requests on Google Glass that would risk the privacy of others? Would Google place limits on the technology and what type of information it can reveal about another person? If so, please explain. If not, why not?

The portion of the Google Privacy Policy you quote relates specifically to requests from our users for "access to [their] personal information" that Google stores. This common privacy policy term, and the similarly common limitation against "unreasonably repetitive" requests, is to ensure that requests to access personal information stored by Google are legitimate and handled appropriately. As discussed above, Google gives Glass users full control over when to use the product.

5. Given Google Glass's sensory and processing capabilities, has Google considered making any additions or refinements to its privacy policy? If so, please explain. If not, why not?

Use of Google Glass will be governed by the terms of the Google Privacy Policy and no changes to the Google Privacy Policy are planned for Glass.

6. In Google's privacy policy, it states that the company "may collect device-specific information (such as your hardware model, operating system version, unique device identifiers, and mobile network information including phone number)."

- a. Would this information be collected from users operating Google Glass? If so, what specific information is Google intending to collect?**
- b. Would Google Glass collect any data about the user without the user's knowledge and consent? If so, why? If not, please explain.**

Google's Privacy Policy and pertinent disclosures during Glass setup provide users with information about what data will be collected from Glass. In addition, the MyGlass site and app provide users with access to details about Google and third party applications and services that are synced with Glass. When adding applications, users are shown the device-level permissions such applications obtain when used with Glass.

7. It was recently revealed that the *New York Times* was the first to release an app for Google Glass. To what extent was privacy considered in approving this app? Is Google planning to make privacy a priority for future app developers? If not, why not? If so, please explain.

We are excited about the opportunity to work with developers who can create compelling and exciting applications for Glass. As we mentioned above, protecting user security and privacy is a top priority for Google and we encourage all developers to take user privacy seriously. All Glass developers have to agree to terms of service for using necessary application programming interfaces ("APIs"), as well as general Glass developer policies, which include having and following their own privacy policies.

The Glass team has been working directly with developers and engaging with them as ideas unfold for possible applications for Glass. For example, we recently held an event on this topic at our annual developers conference, Google I/O. A video of the presentation is available at developers.google.com/events/io/sessions/332490621.

8.b. Will Google Glass have the capacity to store any data on the device itself? If so, will Google Glass implement some sort of user authentication system to safeguard stored data? If not, why not? If so, please explain.

Glass does have flash memory capable of storing data. This includes storage of information that assists with the operation of the device, such as software libraries and application information. The flash memory can also be used to store user content, such as photos and video, to ensure those moments are saved even when Glass does not have an Internet connection. We are experimenting with "lock" solutions to determine what would work best for this type of device. In the event a device is misplaced or somehow compromised, users can use their Google account to login to MyGlass and initiate a remote wipe of all data stored on Glass, as described above.