

**Privacy Commissioner  
of Canada**

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**Commissaire à la protection  
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SEP 09 2008

Rishi Hargovan, Summer Intern  
Ms. Philippa Lawson, Director  
Canadian Internet Policy and Public Interest Clinic  
University of Ottawa, Faculty of Law  
57 Louis Pasteur Street  
Ottawa, Ontario K1N 6N5

Dear Rishi Hargovan and Ms. Lawson:

**Subject: Deep Packet Inspection for Behavioural Targeted Advertising**

Thank you for your letter dated July 25, 2008. In your letter, you requested that our Office investigate the usage of deep packet inspection (DPI) for behavioural targeted advertising, with a view to develop guidelines on this subject.

The potential privacy implications related to this issue are the basis of on-going discussions in Canada and other jurisdictions. We note that the usage of DPI for behavioural targeted advertising has been the subject of recent congressional hearings in the United States. As well, we understand the office of the European Union Commissioner for Information Society and Media has requested an update from the United Kingdom government on this matter.

Our Office has begun to research the usage of DPI for behavioural targeted advertising, and we feel this issue deserves thorough consideration. To supplement our internal research, our Office has requested submissions from several international subject matter authorities on DPI. We expect to compile and release this information by the Fall of 2008.

It is our opinion that these submissions will complement our findings to date, and will support the development of meaningful and comprehensive observations on the usage of DPI for behavioural targeted advertising. For the long term, we are contemplating possible strategies that may include additional research and consultations.

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The potential privacy implications related to the usage of DPI for behavioural targeted advertising is a matter that our Office is paying close attention to, and as soon as we are able, we look forward to sharing our observations with you.

I encourage you to contact our Office on this or any other matter and thank you again for your correspondence.

Sincerely,

Jennifer Stoddart  
Privacy Commissioner of Canada

**Office of the  
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**AUG - 8 2008**

Philippa Lawson  
Director  
Samuelson-Glushko Canadian Internet  
Policy and Public Interest Clinic  
University of Ottawa, Faculty of Law  
57 Lous Pasteur  
Ottawa, Ontario K1N 6N5

Dear Mrs. Lawson,

This is in response to your letter of July 25, 2008, in which you raise concerns about the business practices of Canadian ISPs and ask that they be investigated. As discussed, given that the issues raised in your letter involve an entire industry, they are more appropriately dealt with through research and consultation with stakeholders.

Our office will undertake research into the use of DPI by Canadian ISPs over the coming months. Should you need further information, please contact Colin McKay, Director of Research, Education and Outreach at 613-947-7226 or by email at [cmckay@privcom.gc.ca](mailto:cmckay@privcom.gc.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Denham'.

Elizabeth Denham,  
Assistant Privacy Commissioner