

# Consentimiento informado ¿Regla o excepción?

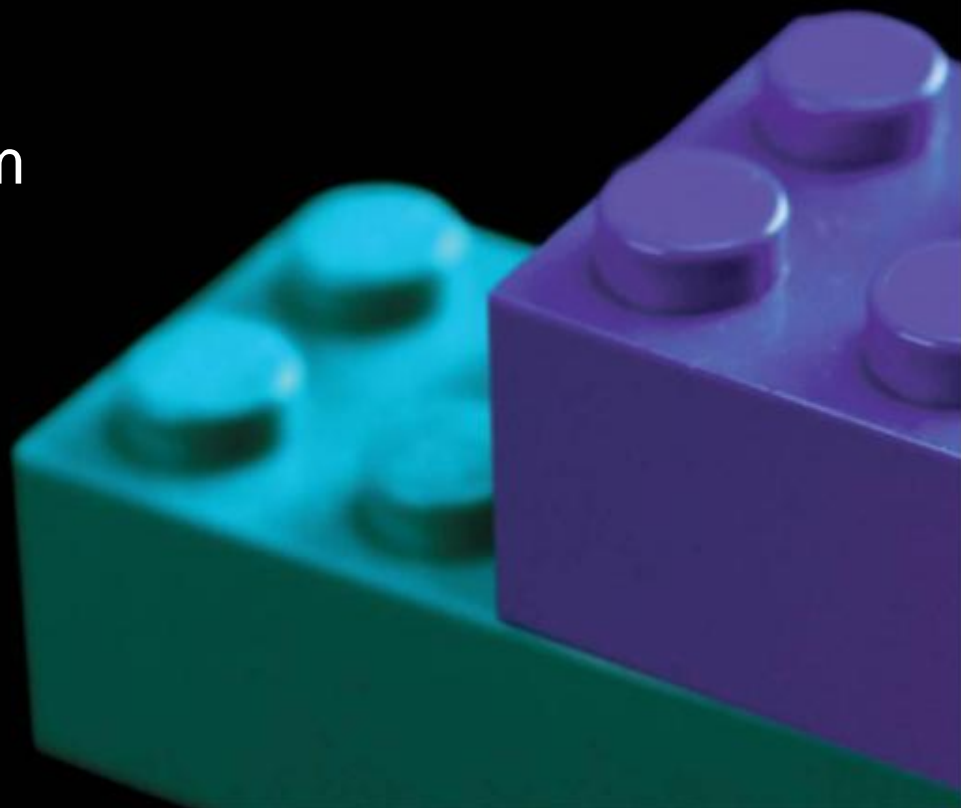
Eduardo Ustaran

[eduardo.ustaran@ffw.com](mailto:eduardo.ustaran@ffw.com)

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Field Fisher Waterhouse



## ¿Regla?

- La facultad de decidir es lo que nos hace libres
- La privacidad es la facultad de ejercer control sobre el uso de nuestros datos

## ¿Excepción?

- Es simplemente imposible comprender la cantidad de información generada en el día a día
- ¿Cómo es humana y técnicamente posible ejercer control sobre el uso de nuestros datos?

## ¿Existe un término medio?

- El papel del consentimiento implícito en Internet – Pero ¿es válido?

# Consentimiento implícito válido (I)

## Aviso visible



# Consentimiento implícito válido (II)

## Conducta específica



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# Consentimiento implícito válido (III)

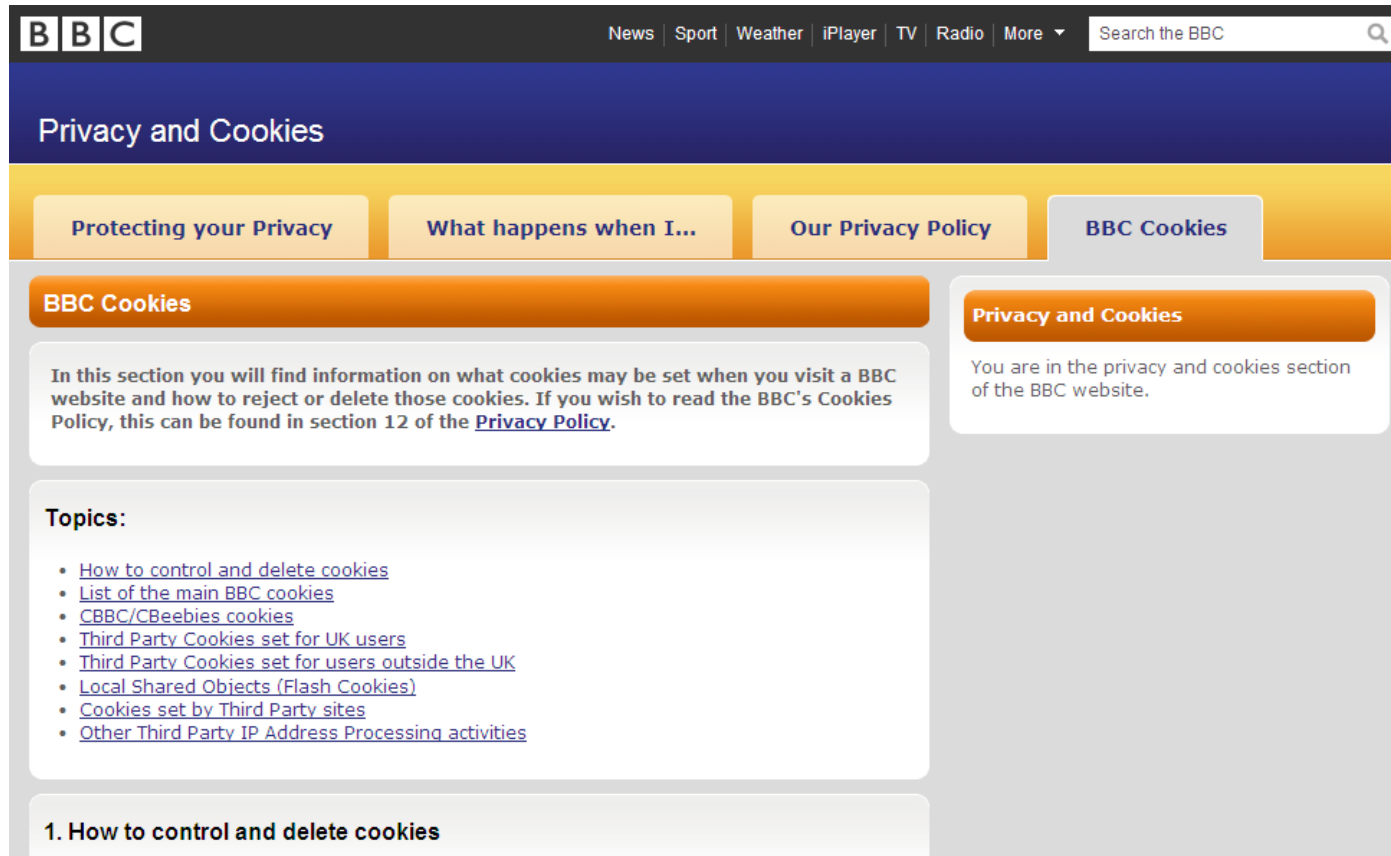
## Mecanismo de control y decisión

Companies storing or accessing information via this site include:

Name	Purpose Of Cookie	Consent Status
AudienceScience	Ad Targeting, Analytics/Measurement, Optimisation	ON <input checked="" type="checkbox"/> OFF
Bizo	Ad Targeting, Analytics/Measurement	ON <input checked="" type="checkbox"/> OFF <a href="#">more options</a>
BlueKai	Ad Targeting, Analytics/Measurement	ON <input type="checkbox"/> OFF <a href="#">more options</a>

# Consentimiento implícito válido (IV)

## Información detallada



The screenshot shows the BBC website's 'Privacy and Cookies' page. At the top, the BBC logo is on the left, and navigation links for News, Sport, Weather, iPlayer, TV, Radio, and More are in the center. A search bar on the right contains the text 'Search the BBC'. Below the navigation is a dark blue header with the text 'Privacy and Cookies'. Underneath is a yellow navigation bar with four tabs: 'Protecting your Privacy', 'What happens when I...', 'Our Privacy Policy', and 'BBC Cookies'. The 'BBC Cookies' tab is selected and highlighted in orange. The main content area is divided into two columns. The left column has an orange header 'BBC Cookies' and contains the following text: 'In this section you will find information on what cookies may be set when you visit a BBC website and how to reject or delete those cookies. If you wish to read the BBC's Cookies Policy, this can be found in section 12 of the [Privacy Policy](#).' Below this is a 'Topics:' section with a list of links: 'How to control and delete cookies', 'List of the main BBC cookies', 'CBBC/CBeebies cookies', 'Third Party Cookies set for UK users', 'Third Party Cookies set for users outside the UK', 'Local Shared Objects (Flash Cookies)', 'Cookies set by Third Party sites', and 'Other Third Party IP Address Processing activities'. The right column has an orange header 'Privacy and Cookies' and contains the text: 'You are in the privacy and cookies section of the BBC website.'

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