

## New Media Privacy Issues & Online Health Marketing

### Privacy Groups Focus on the Pharmaceutical Industry

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According to a Deloitte survey of life science professionals titled “To Friend or Not? New Insights About Social Networks in the Life Sciences Industry,” undefined Food and Drug Administration (FDA) guidelines, **consumer privacy concerns** and a lack of a clearly demonstrated return on investment are the top three hurdles to widespread adoption of social media by the industry (see <http://bit.ly/ijMvqqa>). Nevertheless, 65% of survey respondents say their company uses or plans to use social networks at a company level in some capacity in the next year.

### Online Privacy in the News

Recently, online privacy issues have been in the news as Congress exams whether it should enact legislation requiring a do-not-track function in Web browsers to allow consumers to opt out of the extensive data collection by Internet companies. The *Wall Street Journal*, for example, published a series of investigative articles on online privacy under heading “What They Know.” What **you** should know is that the current focus on privacy in the new media advertising world may have repercussions for online pharma marketing. It pays to understand the issues.

In a complaint filed on November 23, 2010, with the Federal Trade Commission (FTC), the Center for Digital Democracy (CDD), U.S. PIRG, Consumer Watchdog, and the World Privacy Forum called on the FTC to investigate “unfair and deceptive advertising practices” that consumers face as they seek health information and services online. You can download the complaint here: <http://bit.ly/hwmauU> (pdf file).

“Consumers now confront a sophisticated and largely stealth interactive medical marketing apparatus that has unleashed an arsenal of techniques designed to promote the use of specific brand drugs and influence consumers about treatments for health conditions,” said in the CDD complaint.

On December 1, 2010, just one day before the Subcommittee on Commerce, Trade and Consumer Protection hearing on “Do Not Track” legislation, the FTC issued a preliminary staff report that proposed a framework to balance the privacy interests of consumers with innovation that relies on consumer information to develop beneficial new products and services. You can find the FTC report online here: <http://bit.ly/g3Wlrh>

### FTC Says Self-Regulation Has Failed

The FTC report suggests implementation of a “Do Not Track” mechanism—likely a persistent setting on consumers’ browsers—so consumers can choose whether to allow the collection of data regarding their

online searching and browsing activities. The report states that industry efforts to address privacy through self-regulation “have been too slow, and up to now have failed to provide adequate and meaningful protection.”

PhRMA—the drug industry’s U.S. trade association and lobbying group—has not commented on the FTC report or the CDD filing, but the Interactive Advertising Bureau (IAB) has. The IAB claims to represent more than 460 leading media and technology companies who are responsible for selling 86% of online advertising in the United States. In a press release, IAB commented that a federally run Do Not Track mechanism has inherent problems.

“Though a Do Not Track list might resonate with the public because of its apparent resemblance to the National Do Not Call Registry,” said IAB, “the two are similar in name only. Any notion that an online Do Not Track list could operate like the Do Not Call Registry is fundamentally flawed. Phone calls consist of one-to-one connections and are easily managed because each phone is identified by a consistent phone number. In contrast, the Internet is comprised of millions of interconnected websites, networks and computers—a literal ecosystem, all built upon the flow of different types of data. To create a Do Not Track program would require reengineering the Internet’s architecture.” To read the entire IAB press release, click here: <http://bit.ly/eOBM4Y>

One week after the FTC report, however, Microsoft announced it is going to add a “Do Not Track” feature to its Internet Explorer 9.0 release, so that users will have the option of preventing cookies on their browser from tracking what websites they visit.

### Cookies Are a Joke!

But the issue goes way beyond tracking cookies, which, according to BlueCava CEO David Norris “are a joke.” BlueCava and other companies are already developing the next generation of tracking tools such as digital “fingerprinting,” which identify how we use our computers, mobile devices and TV set-top boxes.

According to a recent article in the *Wall Street Journal*, “advertisers no longer want to just buy ads. They want to buy access to specific people.” Companies are compiling databases of information about specific online devices such that each device will have a “reputation” based based on its user’s online behavior, shopping habits and demographics. Access the WSJ article here: <http://bit.ly/gaNP00>

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### CDD's Criticisms of Online Marketing Tactics

The CDD complaint made several statements/criticisms of online health marketing in its complaint. These are listed below. *Pharma Marketing News* subscribers, *Pharma Marketing Blog* readers, and *Pharmaguy* Twitter followers were asked in an online survey whether they agreed or disagreed with these statements. The results are plotted in Figure 1 (pg 4) and are summarized next to each statement below.

1. Little information is currently provided on what is being collected from users of health-related sites and how such data are used. (**50% disagree/41% agree**)
2. The emergence of powerful new digital marketing techniques designed to influence consumer behavior around health conditions and medications requires a new approach to informing and protecting the public. (32% disagree/**59% agree**)
3. Data collected via e-detailing and related methods also pose privacy concerns. (41% disagree/41% agree)
4. The use of non-transparent, unaccountable, and unfair and deceptive marketing practices significantly adds to the financial and personal burden of consumers. (46% disagree/**55% agree**)
5. "Direct-to-Consumer Digital Marketing" of pharmaceutical and health-related products requires the FTC to develop safeguards for sensitive-data-related advertising practices, and also ensure that interactive ad techniques are truthful and non-misleading. (32% disagree/**59% agree**)
6. Digital marketing raises many distinct consumer protection and privacy issues, including an overall lack of transparency, accountability and personal control, which consumers should have over data collection and the various interactive applications used to track, target, and influence them online (including on mobile devices). (43% disagree/**48% agree**)
7. Health consumers are being told that by using digital media services they have become empowered "E-patients," but they are not being informed about the privacy and potential health risks connected with the use of digital marketing of pharmaceuticals and health products. (**62% disagree/29% agree**)
8. Online marketing poses fundamental new risks to consumers of health information and services, given its powerful data collection and targeting capabilities. (**57% disagree/37% agree**)
9. Online behavioral targeting is a threat to consumer privacy. (45% disagree/46% agree)
10. Digital health marketing poses risks in terms of misinformation and the encouragement of consumers to seek out drugs and treatment whether they require them or not. (**55% disagree/42% agree**)
11. Online marketing practices involving youth health concerns require special safeguards and immediate attention from the FTC. (**45% disagree/41% agree**)
12. U.S. health consumers should not be subjected to hidden digital marketing techniques designed to amass detailed

profiles of their behavior and then target them with ads for specific drugs and treatments. (38% disagree/**43% agree**)

13. The growth of federal and private programs promoting personal electronic health records, such as the initiatives by Google and Microsoft, and their relationship to online health marketing and advertising tactics require FTC analysis and appropriate action. (27% disagree/**55% agree**)
14. The FDA does not have the expertise and staffing to adequately protect the public from unfair and deceptive online practices. (23% disagree/**59% agree**)

In summary, respondents generally agree that new digital marketing techniques call for a new approach to informing and protecting the public and that the FTC should develop safeguards to protect consumer information and ensure that online ads are truthful and not deceptive.

They do not agree, however, that online consumers are not being adequately informed of the privacy and health risks associated with online pharmaceutical marketing nor do they agree that such marketing poses "fundamental new risks" to consumers, whatever those risks may be (see below for what CDD believes are the risks).

Respondents agree that personal electronic health records linked to online advertising should be reviewed by the FTC. Finally, most respondents do not believe that the FDA has the experience and staff to adequately protect the public from unfair and deceptive online practices.

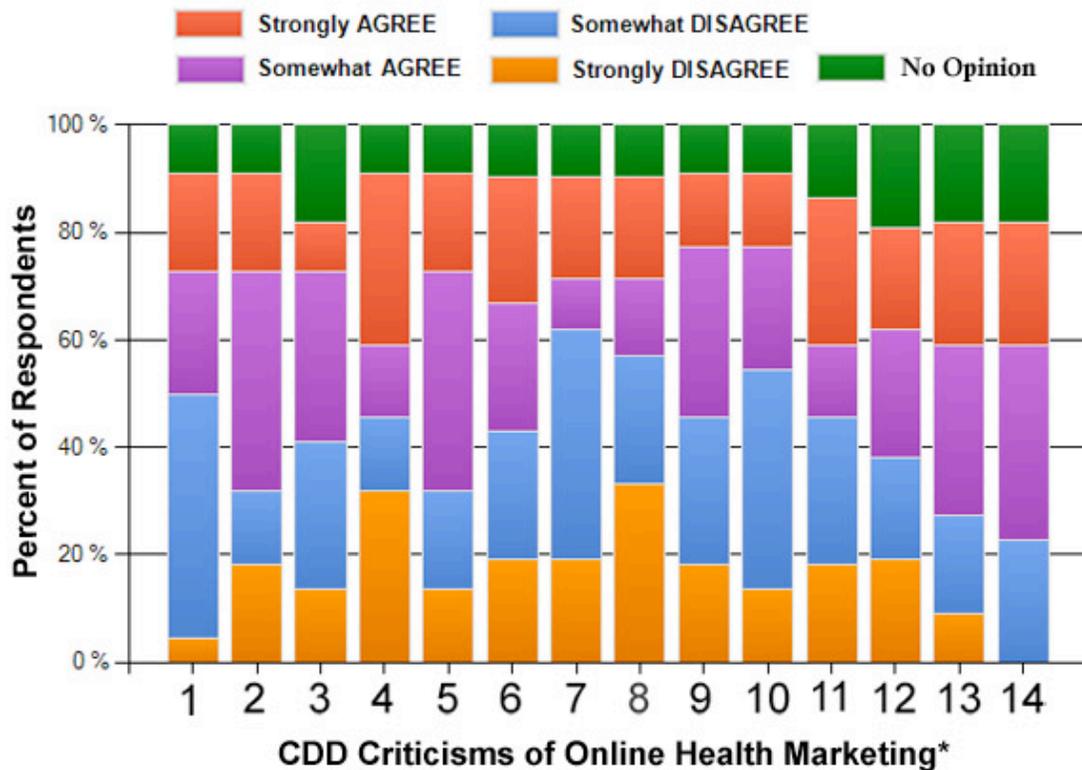
### The Issues Transcend Healthcare Marketing

"It appears that the US is increasingly taking a more critical view on privacy following the stricter rules that already exist in Europe," said a non-US respondent who is employed by a pharmaceutical company.

"The issue extends far beyond the healthcare topic, and it would be important that the 'safe harbour act,' which currently governs data use by globally acting US companies (like Google, Facebook, airlines etc.) is revised to give stronger protection to the users."

"Many of the concerns raised in this brief can be labeled an attack on the pharmaceutical industry," said Mike T., who is an advertising agency employee. "Privacy concerns are not unique to health-related data, as many other online market-ers have been using some of the practices cited for years; it is difficult to imagine how these privacy concerns are any more risky than other internet activities that can put consumers at a more immediate risk, such as identity theft or credit card fraud.

*Continues...*



**Figure 1:** Respondents were asked to indicate their level of agreement or disagreement with the accusations/statements made in the CDD brief regarding online health sites and consumer privacy. \*The numbers refer to the list of statements appearing on pg 3.

“Regardless of how and what brands communicate to them, it does not replace or diminish the importance of the doctor-patient relationship, which is where all health-related decisions should be made,” said Mike T. “What is missing from this brief is the acknowledgment of the consumer’s responsibility to be in control of their online activities and what information they share, and more importantly what information they seek without consulting health care professionals.”

#### CDD Demands that FTC Take Action

In the “prayer for Investigation and Relief” section of the petition, the CDD asks the FTC to:

- Examine and analyze the data collection and usage practices of pharmaceutical advertisers to assess the extent of consumer information collected through websites, social networks, online video sites, and other interactive means. The FTC should provide the public with information on what data are collected and how they are used.
- Require companies engaged in digital marketing of health products under its purview to provide information on the kinds of online targeting techniques and methods they utilize, especially behavioral advertising and retargeting. The FTC should specifically ask whether companies are profiling and targeting consumers based on racial and ethnic data.

- It should immediately require health marketers to provide adequate information on privacy policies, instead of incomplete or relatively inaccessible content (and work with the FDA to develop new rules for consumer privacy related to health information marketing online).
- Analyze how health-related social media marketing influences consumer behavior and attitudes on drug use and about medical conditions. The agency should examine social media marketing applications for the health market designed to foster “viral” marketing approaches, including the targeting of specific consumers in order to influence their own network of relationships.
- Investigate whether there is a violation of the FTC’s Endorsement guidelines (which the FTC has extended to the Internet) when advice is given to patients or consumers from seemingly independent health bloggers who do not disclose that they are paid or sponsored by pharmaceutical or other companies.
- Obtain from pharmaceutical companies a list of the keywords used for paid search campaigns.
- Evaluate the role of Web design, including the use of eye-tracking and so-called “A/B” testing for landing pages to influence how consumers react to content on pharmaceutical and health-ad-supported sites and services.

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- Investigate the use of so-called “unbranded” sites funded by pharmaceutical companies, in order to assess whether such sites are structured and designed to support the promotion of specific drugs.
- Conduct an inquiry on the use of neuromarketing-related techniques designed to influence or measure subconscious responses.
- Work with the Food and Drug Administration and other appropriate agencies to develop a set of policies for regulating the use of behavioral targeting, data collection, and other digital techniques in the marketing of drugs and health-related products.

CDD sent a copy of its FTC petition to the FDA as well.

### A Cornucopia of Digital Marketing Solutions

In support of its claims, the CDD cites a number of specific marketing techniques employed by health Web sites. Although the CDD complaint points out some truly troubling practices, it is perhaps one of the BEST reviews of healthcare-related digital marketing techniques available.

See the end of this article for a compilation of more than two dozen “innovative” online marketing products/solutions mentioned in the CDD complaint. It's difficult to separate the hype from reality regarding some of the claims made for these solutions, but you can be the judge of that. The list includes the product name, company/site name, description, link to online information, and the paragraph number in the complaint where you can find what the CDD has to say about it.

Of course, the CDD does not view these solutions as “innovative.” In fact the CDD thinks they are “unfair and deceptive”: “The companies named in this complaint, as well as others involved in real-time tracking and bidding—including those that provide data optimization services for profiled targeting—are engaged in unfair and deceptive practices.”

### Hype vs. Reality

Whether or not these solutions are truly “innovative,” there is no lack of innovation regarding the names given to some of them, such as:

- ActuatorRx Geo-Medical Targeting
- Acquire2Convert
- Healthographics
- Pluck
- Intent Targeting Advertising
- Target 2 Measure
- BuzzScape
- Social Operating System
- Bizo Targeting Platform

- Quantemo Engagement Index
- Subconscious Resonance Testing
- Evoked Response Potential

The CDD does not analyze whether or not the claims made by the companies it cites are credible or designed to hookwink gullible pharma marketers into purchasing their solutions. For example, are there any pharma marketers who are convinced that “Pluck,” which is designed to engage consumers in conversations with brands, is a viable solution for Rx products?

### The Relevance of HIPAA

One or two of the services mentioned in the CDD complaint deserve a closer look. QualityHealth's “Focus on Formulary” solution, for example, claims to be a “sophisticated technology” that “links consumer marketing with brand formulary access.” It designs “targeting messaging directly to millions of profiled consumers based on prescription coverage.” CDD says: “Few consumers likely realize, however, that they have consented to become the subjects of a ‘proprietary profiling technology’ that ‘captures... valuable information across over 100 individual data points,’ including ‘consumers’ conditions and preferred treatments’; ‘doctor relationships and plans to visit the doctor’; and ‘insurance and formulary coverage.’”

ConditionMatch (offered by Good Health Media) claims to use “cutting edge behavioral targeting technology...[and] identifies groups with common sets of conditions/health-related characteristics by geographic region via insurance claims and individual ‘opt-in’ data.”

Both sound like they may have HIPAA privacy issues. David Harlow, a health care lawyer, consultant, and author of HealthBlawg (<http://bit.ly/hpO4SI>), had this to say regarding the HIPAA issue:

“Without knowing any of the details, I'll hazard a guess that the supposed HIPAA violator has aggregated data made publicly available either in a fully identified or de-identified fashion (or a mix of the two). De-identified data may be easily re-identified (case in point: Netflix challenge gave teams de-identified rental history; winning team re-identified renters based on cross-checking rental data with reviews posted on IMDB.com). The HIPAA de-identification rule is a relic from an earlier age, and needs to be revisited. Meanwhile, folks may traffic in personal data in what may be a moral gray zone, but probably not a legal gray zone.”

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### CDD's Motives

Some pharma marketers may wonder why the CDD targeted healthcare marketing in its TFC complaint. Many of the marketing tactics cited by CDD probably were first developed for the consumer goods industry and then renamed/rebranded to appeal to healthcare marketers as well.



**Jeff Chester**

To learn more about the motives of CDD in issuing this report, Jeff Chester, Founder and Executive Director of the Center for Digital Democracy, was invited to a live podcast discussion with on Pharma Marketing Talk (PMT). The following are excerpts from the podcast (listen to the entire 26-minute podcast here: <http://bit.ly/fPelCL>).

**Pharma Marketing Talk:** “Why has the Center for Digital Democracy filed this complaint with the FTC?”

**Chester:** “We’ve been studying the growth of digital marketing in the pharmaceutical and health industry for about 3 years,” said Chester. “Digital marketing is different from traditional marketing. You’re talking about a tremendous amount of data that is collected about an individual user and increasingly the ability to profile and track and target that individual consumer and now even sell that individual consumer in real time through online ad exchanges, wherever they are, in front of their PC or on their mobile device, and fairly soon, even with television as it becomes fully interactive. Interactive advertising has been designed to more deeply influence an individual consumer.”

### FTC May Weigh In on FDA’s Social Media Guidelines

When asked why so few consumer groups were represented at the November, 2009, FDA public hearing on pharma online marketing, Chester said: “we’re only now at the beginning of awareness from the consumer community about how digital advertising, digital marketing affects all these different product categories. You’re going to be seeing many more consumer groups getting involved.”

“The FTC is playing a very important role with the FDA and the Department of Health and Human Services on trying to figure out the right way to handle social media,” said Chester. “The Federal Trade Commission has the experience and now because of our complaint, it has a kind of legal basis for moving forward. It has the regulatory interest in moving forward and it will influence how the FDA and the Obama administration proceed in this area.”

### Empowered Patients or Duped Targets?

Chester is not a believer, it seems, in the concept of the empowered patient. He noted that at the FDA hearing “industry representative after industry representative just simply [sang] the praises of digital pharmaceutical marketing, talking about the empowered ‘E-consumer’. On the one hand,” claimed Chester, “the pharmaceutical health marketer is saying this is all good for you, here’s this wonderful health information, you are e-empowered, here’s a healing social network. Everything is terrific.

“That’s what they say in front [of advertisers],” said Chester. “What they’re saying to advertisers, to themselves is this: ‘We can influence consumers on specific medications. We can tap into their social networks and create viral marketing.’

“Consumers need to be told upfront when it comes to pharmaceutical and health marketing exactly what is going on behind the scenes,” said Chester. “Health marketers need to be honest with consumers about the process and allow the individual consumer to make decisions about what information is collected and what kind of interactive marketing applications can be used to target them.”

**PMT:** “OK. So you’re saying they need to be more transparent. I’m assuming the answer to that is to inform site visitors and so on, but you also make a claim that online marketing poses fundamental new risks to consumers given its powerful data collection and targeting capabilities. Can you explain what you mean by that?”

**Chester:** “Absolutely. Interactive digital marketing is different than traditional marketing because it offers a wide array of data collection practices. Interactive advertising is able to influence an individual consumer at a very profound, subconscious, unconscious emotional level.

“One of the I found disturbing on some health sites is the use of so-called passive data collection where they’re using cookies and IP addresses and web bugs. They’re using all these interactive advertising tools and technology to track and identify users online.

“Then there is the purposeful use of offers, where marketers collect much, much more information.

“All of which means that health marketers are able to get a much more finely detailed digital profile of the user’s interests, concerns, and vulnerabilities. That profile is then used to target and influence them to ask for a specific drug.”

*Continues...*

### Risks of Online Healthcare Marketing

The CDD complaint claims that online marketing poses fundamental new risks to consumers of health information and services because of its powerful data collection and targeting capabilities.

Given that there are also benefits to such advertising, it's important to know the risks as well. According to Chester, unless safeguards are put in place "online pharmaceutical and health marketing will generate an increasing demand from consumers for prescription drugs generally and branded medicines in particular whether they frankly need them or not."

**PMT:** "So that's the risk you're talking about? That people are being prescribed drugs they don't need?"

**Chester:** "Yes, I think that is a significant risk and there are financial risks too in terms of who is paying for these drugs. I also believe that interactive advertising is going to have a much greater impact on consumer decision making about pharmaceuticals than we've witnessed with direct to consumer television advertising. Because interactive advertising is personalized, ubiquitous, immersive, it will spur even greater demand."

### Physicians Are Also Vulnerable

**PMT:** "You also mentioned e-detailing in the complaint. Tell us more about your views on online physician marketing."

**Chester:** "e-detailing, which very few consumers know about, is the other side of the coin. The pharmaceutical industry is using the power of interactive marketing to not only influence doctors but to influence non-doctors who play a key role in ordering and prescribing drugs. And that's why we need to have the Federal Trade Commission investigate and come to the aid of the FDA who I'm afraid is really incapable of dealing with interactive advertising issues in health at the moment."

**PMT:** "What's your opinion about the recently released FTC staff report on online privacy?"

**Chester:** "Well, first let me say that the Federal Trade Commission's staff recommendation last week offered for the first time a more comprehensive framework to protect consumer privacy in the online marketing era. It calls for greater transparency, greater control by consumers over what data is

collected and how that data is used. It calls for better access to this data as well as the establishment of 'Do not track' lists.

"But I think the key issue for my organization and for health marketers will be the notion of 'sensitive data' and 'sensitive users.' We have argued and will continue to argue that a great deal of health-related information needs to be considered 'sensitive,' requiring greater safeguards under the control of the individual consumer. We intend to push the FTC so it will be clear that health-related interactive marketing services should in fact be under the 'sensitive' classification requiring greater consumer control over data collection processes."

### Being Pro-Patient is the Bottom Line

"I guess the bottom line here is that when it comes to issues related to health, the online health industry has to do more than just simply be another kind of marketer," said Chester. "We're not selling T-shirts. We're not selling pants. We're not selling shoes here. You're talking about people who are seriously in need of information, who are concerned about their health. When companies are targeting people based on serious health illnesses like depression and arthritis and other psychological problems, then more is required.

"This issue is taking off and the healthcare industry needs to create a standard of practice, or a code of conduct, to make sure that they're engaging in an above board, transparent and pro-patient/consumer manner."

When asked why CDD has not published guidelines for healthcare digital marketing companies that can be used to ensure sufficient transparency, Chester answered that the CDD will be doing that in their comments to the FTC, which set the end of January, 2011, as the deadline for submitting comments.

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 Jeff Chester

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## Innovative Online Healthcare Marketing Solutions

A compilation of services & products mentioned in a brief filed on November 24, 2010, with the FTC by the Center for Digital Democracy

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Online Marketing Tactics Cited in CDD Brief to FTC, November, 2010

<b>Product Name</b>	<b>Site Name</b>	<b>Description</b>	<b>Info Link</b>	<b>CDD Para #</b>
Healthographics	QH Connect	a proprietary algorithm of more than 250 individual demographic and health data points, each consumer is meticulously profiled on an ongoing basis, which gives our clients access to valuable data and insights that enrich their advertising efforts	<a href="http://bit.ly/e4uuLe">http://bit.ly/e4uuLe</a>	34
PersonaMatch	Alliance Health Networks	co-morbidity ranking algorithm that helps place your message in front of the right customers based on the prevalence of related medical conditions ... allows us to exploit the prevalence of related medical conditions and to use predictive modeling to place correlated healthcare advertising in front of the right consumers. For the first time, healthcare advertising can be served up and driven by medical probabilities rather than simple economic models.	<a href="http://bit.ly/g2pxOY">http://bit.ly/g2pxOY</a>	36
Acquire2Convert	QualityHealth	Identifies and Engages Prospects at Scale... partners with brands to pinpoint the best patient prospect population to meet your business objectives and leverages our profiling system to fill your acquisition funnel — at scale	<a href="http://bit.ly/eMPhcD">http://bit.ly/eMPhcD</a>	37
QH Lead Generator	QualityHealth	QualityHealth develops and sends timely email messaging to bridge new leads to your brand experience, and ensure that your brand stays top of mind until your fulfillment is delivered to their door or inbox	<a href="http://bit.ly/eMPhcD">http://bit.ly/eMPhcD</a>	37
QH Lead Re-activator	QualityHealth	re-engage dormant customer contacts in your existing brand database with relevant, branded turn-key eNewsletter series to motivate them to action	<a href="http://bit.ly/eMPhcD">http://bit.ly/eMPhcD</a>	37
Ask Your Doctor	QualityHealth	A personalized marketing solution triggered by patients' upcoming doctor visits empowers patients with a doctor discussion guide and branded messaging immediately prior to a doctor visit. This targeted contact helps guide the exam-room conversation and reminds patients to ask for your brand by name.	<a href="http://bit.ly/eMPhcD">http://bit.ly/eMPhcD</a>	37

Online Marketing Tactics Cited in CDD Brief to FTC, November, 2010

<b>Product Name</b>	<b>Site Name</b>	<b>Description</b>	<b>Info Link</b>	<b>CDD Para #</b>
Focus on Formulary	QualityHealth	links consumer marketing with brand formulary access, optimizing a brand's marketing spend and maximizing pull-through in the physician's office and at the pharmacy. Our profiling allows us to determine the formulary status of your brand, so we can design targeting and messaging strategy based on coverage, and increase patients' likelihood to get a brand prescription. CDD says: "Few consumers likely realize, however, that they have consented to become the subjects of a 'proprietary profiling technology' that "captures... valuable information across over 100 individual data points," including 'consumers' conditions and preferred treatments'; 'doctor relationships and plans to visit the doctor'; and 'insurance and formulary coverage.'" (http://www.qhperform.com/profiling.html) -- HIPAA compliancy may be an issue	<a href="http://bit.ly/eMPhcD">http://bit.ly/eMPhcD</a>	37
ConditionMatch	Good Health Media	using "cutting edge behavioral targeting technology... identifies groups with common sets of conditions/health-related characteristics by geographic region via insurance claims and individual 'opt-in' data."	<a href="http://bit.ly/ftvXYg">http://bit.ly/ftvXYg</a>	43
TagMan	Good Health Media	3rd-pary online campaign tracking technology, enabling GHM to "instantly add or amend" its tracking tags so "it can now see the entire path a customer takes to conversion."	<a href="http://bit.ly/hsGwJN">http://bit.ly/hsGwJN</a>	43
Intent Targeting Advertising	Demand Media eHow	eHow fails to adequately inform its users about the enormous amount of data it collects about them, including what it offers advertisers and sponsors: "behavioral targeting, retargeting, social media promotions, eNewsletters, and social media promotions," and that it is also engaged in what it calls "Intent Targeting Advertising." According to its Securities and Exchange Commission S-1 filing, Demand Media tracks "over 1 billion discrete events per month." PRIVACY POLICY states: "We may keep a record of all information that is changed (including deletions) and Disclose it for any lawful purpose."	<a href="http://bit.ly/gCV3mm">http://bit.ly/gCV3mm</a>	44

Online Marketing Tactics Cited in CDD Brief to FTC, November, 2010

<b>Product Name</b>	<b>Site Name</b>	<b>Description</b>	<b>Info Link</b>	<b>CDD Para #</b>
Pluck	Demand Media	designed to engage consumers in conversations with various brands. "In fact," the company explains, "consumers expect an open dialogue with the brands and products they purchase. We help transform traditional marketing and retail sites into two-way conversations, places where consumers can engage directly with brands and their offerings. With our wide array of social media tools and customizable content solutions, we help brands and retailers build engaging online destinations that inform consumers and empower them to evangelize their experiences to others."	<a href="http://bit.ly/gdBxT2">http://bit.ly/gdBxT2</a>	44
SymptomSearch	Healthline	Advertising Messages surround users as they create and refine a personalized combination of symptoms and narrow the list of possible causes.	<a href="http://bit.ly/ihJpUx">http://bit.ly/ihJpUx</a>	48
HealthSTAT	Healthline	"broadens condition-specific reach for health advertisers. By using Medically Guided semantic search technology to understand medical terms, synonyms and relationships within the health content on a partner's web page, Healthline HealthSTAT is able to uncover a deeper set of contextually relevant advertising opportunities than any other network.... HealthSTAT can recognize and deliver ads against health content in real time, across a network of top tier publishers that reaches more than 30 million consumers a month."	<a href="http://bit.ly/gOv2HM">http://bit.ly/gOv2HM</a>	49
"immersive" interactive marketing	Everyday Health	"Our suite of advertising solutions, when combined with our extensive database of information voluntarily provided by millions of registered users, can facilitate advertising campaigns that are directed at specific geographic areas, demographic groups, interests, issues or user communities."	<a href="http://bit.ly/g4HHW7">http://bit.ly/g4HHW7</a>	51

Online Marketing Tactics Cited in CDD Brief to FTC, November, 2010

<b>Product Name</b>	<b>Site Name</b>	<b>Description</b>	<b>Info Link</b>	<b>CDD Para #</b>
ConditionSearch	Good Health Media/Tynt Multimedia	instantly display context-relevant links and a display ad that are directly related to the copied term. Users benefit from receiving links to useful information they are searching for, and health advertisers have a better way of reaching their target audiences.... Tynt Insight's patent-pending technology detects copy/paste actions of website visitors, enabling online content owners to understand, with pinpoint accuracy, exactly which content their visitors find most engaging, and to immediately act on that information to improve site performance	<a href="http://bit.ly/dT56Yj">http://bit.ly/dT56Yj</a>	53
ICRM (Instant Customer Relationship Marketing)	CPM Marketing	behavioral targeting technology that enables you to tailor call center and Internet communication to your current and prospective patients based on individuals' past and present medical indications or their risk for developing future conditions... Using sophisticated data-mining algorithms... accurately predicting health needs for the next 12 to 18 months—of both patients and non-patients alike—based on the most complete, individualized data available	<a href="http://bit.ly/idRaNk">http://bit.ly/idRaNk</a>	54
ActuatoRx "Geo-Medical Targeting"	Medicx Media Solutions	ActuatoRx is an offline audience-enabled marketing solution that identifies online surfers and intelligently matches them to a previously provided permission-based postal and e-mail address. Through our proprietary mScores Enhanced database techniques, ActuatoRx integrates with 200 million CAN-SPAM compliant e-mail addresses and over 110 million household names and addresses.	<a href="http://bit.ly/h6vFG2">http://bit.ly/h6vFG2</a>	55
Target 2 Measure	AOL	"By partnering with Nielsen's HomeScan panel and using our Target 2 Measure product, AOL's research team was able to link online ad exposure to offline sales impact, thus demonstrating ROI."	<a href="http://bit.ly/hpLoGJ">http://bit.ly/hpLoGJ</a>	58
HealthSeeker	Facebook	designed to "help people with diabetes become more informed about their disease, as well as make tangible lifestyle changes that might affect their health."	<a href="http://bit.ly/fwd1Jj">http://bit.ly/fwd1Jj</a>	110

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<b>Product Name</b>	<b>Site Name</b>	<b>Description</b>	<b>Info Link</b>	<b>CDD Para #</b>
ConsumerBase	NetBase Solutions	"the only solution that can extract actual consumer preferences from terabytes of public and private information: social media feeds, websites, and years' worth of internal information such as survey data, call center transcripts, and other documents.... ConsumerBase mines billions of sources of information to surface new insights"	<a href="http://bit.ly/haTHUK">http://bit.ly/haTHUK</a>	112
BuzzScape	HeartBeat Ideas	"allows clients to monitor discussions that flow in and out of the tens of thousands of message boards, forums, blogs and social networks that increasingly dominate the online environment...we eavesdrop on public conversations among people with a shared interest, then use what we learn to create interactive marketing campaigns"	<a href="http://bit.ly/i7Vwrn">http://bit.ly/i7Vwrn</a>	114
PatientsLikeMeListen	PatientsLikeMe	giving pharmaceutical companies "unprecedented insight on how your brand is perceived," the monitoring service also provides its partners with startling amounts of personal data from the online conversations, including participants' gender, age, time on treatment, time since diagnosis, status of disease...	<a href="http://bit.ly/ekPmDG">http://bit.ly/ekPmDG</a>	118
Click It Forward	Acurian	seizes upon "today's social networking phenomenon" as "the perfect channel for spreading the word about medical causes and research participation...."	<a href="http://bit.ly/eeTVMq">http://bit.ly/eeTVMq</a>	125
Bizo Targeting Platform	Bizo	Editorial content for targeted health professionals is shaped by the advertising.	<a href="http://bit.ly/heO00X">http://bit.ly/heO00X</a>	129
AcelRx	Aptilon	Give targeted physicians 24/7 access to your message with online content including peer education programs, virtual details and interactive case studies	<a href="http://bit.ly/e2iC3S">http://bit.ly/e2iC3S</a>	139
Rx In-Stream	Tremor Media	"With Rx In-Stream, Tremor Media provides the only solution in the market that gives pharmaceutical advertisers the means to satisfy these requirements [FDA fair balance] in online video advertising without having to rely upon long-form video ads to communicate Important Safety Information (ISI). Rx In-Stream allows advertisers to create shorter-form, pre-roll advertising because they can utilize the companion banner for ISI while using the video to focus on product messaging and branding."	<a href="http://bit.ly/fvmAeL">http://bit.ly/fvmAeL</a>	145

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<b>Product Name</b>	<b>Site Name</b>	<b>Description</b>	<b>Info Link</b>	<b>CDD Para #</b>
Social Operating System	NeuroFocus	Includes Subconscious Resonance testing and Evoked Response Potential. "It is remaking marketing, and through brainwave measurements and analysis we are quantifying the effects on consumers' subconscious responses across multiple platforms. The medium is no longer the message; instead, it's context that influences how consumers conceive of your brand."	<a href="http://bit.ly/fbFIkO">http://bit.ly/fbFIkO</a>	157
Quantemo Engagement Index (QEI)	OTOinsight/Quantemo	"Quantemo helps brands understand how consumers engage with them by measuring an individuals perceptual, pre-cognitive, and cognitive emotional responses when interacting with products, interfaces, advertising, etc. Data collected from these modalities are captured real-time and displayed via the Quantemo Player, a robust data analysis dashboard. Finally, this data is processed through OTOinsight's patent pending algorithm, the Quantemo Engagement Index (QEI), to provide a single quantitative measure of engagement."	<a href="http://bit.ly/ihVn5e">http://bit.ly/ihVn5e</a>	162