



BYTEDANCE LTD.

TIKTOK (ONLINE SOCIAL NETWORKING SERVICE)

DMA.100138

**Report under Article 15 of Regulation (EU) 2022/1925 of the European
Parliament and of the Council (Digital Markets Act)**

Introduction

Further to the 5 September 2023 Commission decision designating ByteDance Ltd. (**ByteDance**) as a gatekeeper under the Digital Markets Act (**DMA**) for a single core platform service (**CPS**), namely its TikTok online social networking service (**TikTok**); this publicly available overview has been prepared to describe the independently audited description of techniques for profiling of consumers in the EU which TikTok used on 6 January 2024, in accordance with the requirements of Article 15(3) of the DMA.

What is the TikTok Core Platform Service?

TikTok is an entertainment platform that enables users to create and share content. TikTok's mission is to inspire creativity and bring joy.

What are Profiling Techniques?

TikTok uses data to generate predictions about consumers which helps provide them with a more relevant, helpful and customised experience. TikTok uses several profiling techniques to generate insights about consumers, such as predicting their interaction with the service, predicting their demographic characteristics, or predicting their response to ads. The output of the profiling techniques are then used for one of the purposes listed further below. TikTok processes personal data in accordance with [TikTok's Privacy Policy](#).

Why use Profiling Techniques?

Profiling techniques result in more personalised content recommendations, helping TikTok users see content that aligns with their interests and preferences. Additionally, consumers (who have consented to personalised advertising) benefit from personalised advertisements that are more relevant to consumer interests, leading to a more tailored advertising experience which helps consumers discover new products or services aligned to their interests.

TikTok believes that profiling techniques improve the consumer experience, enhance the effectiveness of advertising campaigns, build trust and increase consumer satisfaction. TikTok applies profiling techniques for the following purposes:

- **Content Recommendation.** To curate a personalised and relevant content journey for the consumers, helping them discover and engage with content that aligns with their interests and preferences.¹
- **User Recommendation.** To enhance the overall consumer experience by facilitating meaningful connections between users. To provide consumers with personalised and

¹ As outlined in more detail in TikTok's dedicated Help Centre article on the subject of "How TikTok recommends content", TikTok recommends content based on a number of factors to predict how relevant and interesting content might be to a viewer. Each recommendation system selects videos from a large collection of eligible content and ranks them based on the system's prediction on how likely a consumer will be interested in each video. These predictions are also influenced by the interactions of other people on TikTok who appear to have similar engagement patterns. For example, if User A likes videos 1, 2, and 3 and User B likes videos 1, 2, 3, 4 and 5, the recommendation system may predict User A will also like videos 4 and 5.

relevant suggestions, enabling them to discover, connect and interact with other users they may find interesting.

- **Content Creation.** To understand consumers' content creation preferences. These insights are harnessed to customise the content creation experience, ensuring recommendations for content creation tools and features are tailored to suit individual consumer profiles.
- **Platform / User Safety.** To support the safety and security of consumers; including to help identify patterns associated with potentially harmful activities. Primarily, the goal is to proactively detect early signs of potential platform security threats enabling timely intervention and the implementation of targeted safety measures.
- **Ads Optimisation & Targeting.** To enable consumers to receive ads which are likely to be of interest to them, and allow advertisers to reach consumers who are likely to be interested in their products and/or services.

Has TikTok considered alternatives to profiling?

TikTok has considered the possibility to adopt alternative measures to profiling but these potential alternatives were not considered viable as TikTok would not be able to provide an equivalent user experience, delivering tailored features and content that users expect. For example, TikTok has considered continually asking consumers to self-select their interests and preferences from interest categories and keywords rather than predicting the content they are likely interested in via a profiling technique. However, this would either require consumers to manually select from a long list (something which would be an undesirable user experience) or TikTok would need to condense the list - with a reduction in granularity - resulting in a less tailored experience for consumers. Additionally, given that consumer preferences are likely to change and develop over time, TikTok would need to ask consumers to continuously update their selections on a regular basis which would maintain an undesirable user experience over time. As a result, TikTok would lose its core utility as a powerful discovery engine for users to unearth uniquely relevant content.

TikTok does provide options for consumers who would prefer non-personalised feeds and search results. This means the For You and LIVE feeds show popular videos from both the places where consumers are located and around the world, rather than recommending content to consumers based on their personal interests. Similarly, when using non-personalised search, consumers see results made up of popular content. Their Following and Friends feeds continue to show creators they follow, but in chronological order rather than based on relevant profiling techniques.

What data is used?

The following types of data can be used for profiling techniques:

- **Information provided by consumers to TikTok:** This includes information such as profile information provided by consumers when they create an account, content created or published by consumers through TikTok.
- **Information on consumers' use of the platform:** This includes information about consumers' on-TikTok activity, such as how they interact with TikTok content or how they engage with mutual followers.
- **Technical information:** This includes information about consumers' device and network connection, such as their IP address, system language, as well as device ID and user ID (which TikTok automatically assigns users with).
- **Location information²:** TikTok collects approximate location information based on consumers' technical information³, and, if enabled by consumers, approximate location information derived from their device GPS.
- **Inferred information.** This includes inferred attributes such as age-range, gender and interests.
- **Information from third parties.** This includes information about consumers provided by TikTok's advertising partners, such as their off-TikTok activity or other information provided through [TikTok Advertiser Tools](#).

The above data may be actively provided by consumers or observed by TikTok. Depending on the data category, the information may be captured by the TikTok platform or sourced from a third party, as further described in the [Privacy Policy](#).

What types of data can be inferred by TikTok?

TikTok analyses the signals which are provided by consumers to generate inferred data. Inferred data generated in relation to consumers broadly falls into the following categories: demographics, user interests, location, user interactions and data relating to platform safety. Inferred data is not used by every feature within TikTok.

TikTok infers data in the following categories:

- **Demographic data.** This inference category includes a consumer's gender or age range. This data may be used, for example, to provide more relevant content, protect minors, or to provide more relevant advertisements to consumers.
- **Interest data.** This inference category includes predictions about non-sensitive interests of consumers. This data is used to improve the relevance of advertisements shown to consumers.
- **Location data.** This inference category includes inferred approximate consumer location information. Location information may be used, for example, to provide more relevant content, features and advertisements to consumers.

² TikTok does not collect precise location data.

³ For more information please see TikTok's [Location Information Help Centre article](#).

- **User interaction data.** This inference category includes predictions about a consumer's likely behaviour on TikTok. These inferences may be used, for example, to provide more relevant content and ads to consumers.
- **Platform safety data.** These inferences are used to predict the likelihood of a consumer breaching TikTok policies. This data may be used, for example, to protect consumers from potential bad actors.

How long does TikTok retain the data?

TikTok retains information for no longer than is necessary to provide the platform services and for the other purposes set out in the [Privacy Policy](#). TikTok retains information when necessary to comply with contractual and legal obligations, when it has a legitimate interest to do so (such as improving and developing the platform, and enhancing its safety, security and stability), and for the exercise or defence of legal claims. The retention periods will be different depending on the type of information and the purposes for which TikTok uses the information.

On which legal basis does TikTok rely to process the data?

TikTok only processes the personal data of consumers when there is a legal basis to do so under the General Data Protection Regulation (**GDPR**). The legal basis for the processing of personal data as part of any profiling techniques include consent, contractual necessity, and legitimate interest(s). The determination of the relevant legal basis for the processing of personal data depends on the type of profiling technique and its purpose. For more information on how TikTok processes personal data, please see the [Privacy Policy](#).

Under the DMA, consent must be obtained from users in specific circumstances.⁴ When it comes to consumer profiling techniques, TikTok considered how the DMA consent requirements applied to these techniques. Under the DMA, consent must be obtained in specific circumstances. When it comes to consumer profiling techniques, TikTok concluded that consent was required when personal data from TikTok is combined with personal data from third-party services.. TikTok obtains consent from users in this circumstance in relation to specific profiling techniques with the purpose of Ad Optimisation & Targeting.

When consent is required, how does TikTok collect and manage it and how can consumers withdraw consent?

Consent obtained by TikTok

Consent is obtained by TikTok for certain profiling techniques used for Ad Optimisation and Targeting. With their prior consent, TikTok serves the consumer personalised ads based on their activity on and off the platform. Consent can be revoked by the consumer at any time.

⁴ The specific requirement is set out in Article 5(2) of the DMA. Please see our Compliance Report Overview for a consideration of how TikTok complies with this obligation generally. The consideration of Article 5(2) in this overview is specific to the consumer profiling techniques within scope of Article 15.

Prior to serving personalised advertising, TikTok displays a prompt which requests consumers to confirm their preference to either consent to or not consent to receiving personalised advertising.

Information on the effect and consequences of refusing or withdrawing consent are notified to the consumers in the personalised ads prompt via the [Privacy](#) and [Cookie](#) policies, and further information on personalised advertising consent and controls can be found in the Privacy Centre article: '[Ads and Your Data](#)'.

Consent obtained by third parties

Before any sharing of third-party data with TikTok, third parties are required to ensure that they have taken all necessary steps to obtain consent. Within TikTok, consumers also have the option to:

- stop tailoring of ads with their off-TikTok data from a specific advertiser (i.e. by choosing to disconnect an advertiser); and/or
- clear all off-TikTok data advertisers have shared about them.

Further information on personalised advertising controls can be found in the Privacy Centre article: '[Ads and Your Data](#)'.

Does profiling lead to automated decision making?

TikTok's profiling techniques do not involve automated decision making within the meaning of Art. 22 GDPR.

Consideration of Data Protection Rights

TikTok takes steps to ensure the data protection rights of its users are respected. TikTok assesses new profiling techniques or changes to existing profiling techniques from a data protection perspective to ensure that any risks are identified and mitigated. Where any processing activity presents a high risk to the rights and freedoms of data subjects, TikTok conducts a data protection impact assessment, as required by applicable law.

How does TikTok provide information to consumers about profiling?

Transparency is important to TikTok and this includes informing consumers about how their data is used for profiling techniques. TikTok uses a variety of methods to deliver information to consumers about profiling; including: [Privacy Policy](#), [Privacy Centre](#), and [Help Centre](#). All these tools and publications are available to the consumer on the TikTok platform.

TikTok is committed to informing its consumers about the ways their personal data is processed. To inform consumers of profiling, TikTok's [Privacy Policy](#) is available on its website and app. The [Privacy Policy](#) outlines what information is collected, how the information is used, how it is shared, legal bases it relies on to process the personal data,

users' rights and choices, how it protects the consumer's data, the retention, and information relevant to transfers of data. Relevant sections of the [Privacy Policy](#) include: "What Information We Collect", "How We Use Your Information", and "Our Legal Bases and How We Process Your Information".

TikTok has a dedicated [Privacy Centre](#) that can be accessed by consumers at any time. The centre includes a dedicated section on [Ads and Your Data](#) which details how personal data may be used for personalised ads.

Consumers can also access the "[About this Ad](#)" tool within the app to understand why a particular ad has been recommended to them.

In addition, consumers have access to the [Help Centre](#) at any time which has a dedicated account and privacy setting section. Furthermore, there is a dedicated Help Centre article on the subject of "[How TikTok recommends content](#)".

Consumers can also access a "[Why this video](#)" tool within the app to understand why a particular video has been recommended to them.