



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)**

By decision of 5 September 2023 ("**Designation Decision**"), the Commission designated ByteDance Ltd. ("**ByteDance**" or the "**Undertaking**") as a gatekeeper under Article 3 of the DMA for a single core platform service ("**CPS**") within the meaning of Article 3(1)(b) of the DMA, namely its TikTok online social networking service ("**TikTok**"). On 8 April 2024, ByteDance submitted to the Commission its annual report pursuant to Article 15 of the DMA ("**report**" or "**Article 15 Report**"), providing a description of the techniques for profiling of consumers that ByteDance applies to or across TikTok. While ByteDance has only been designated for TikTok's online social networking service, this report also provides a description of the profiling techniques used by ByteDance with respect to its online advertising services to the extent they relate to the underlying CPS.

This year's Article 15 Report provides an update and is structured as follows:

Section 1 provides information on ByteDance;

Section 2 provides information about the techniques for profiling of consumers;

Section 3 provides general information on the auditors;

Section 4 provides information about the audit procedures;

Section 5 contains the audit conclusions;

Section 6 provides the non-confidential overview of the Article 15 Report;

Section 7 provides the declaration of ByteDance.

SECTION 1

1. GENERAL INFORMATION ON THE GATEKEEPER

1.1. Please provide the name and registered address of the Undertaking submitting the Article 15 Report.

ByteDance Ltd., incorporated at P.O. Box 309, Ugland House, Grand Cayman, KY1-1104, Cayman Islands.

1.2. Please provide the name(s), function(s), and contact details of the person(s) within the gatekeeper's organisation who is or are responsible for preparing and submitting the independently audited description of applied consumer profiling techniques.

The individuals responsible for the Article 15 Report within the Undertaking are:
[CONFIDENTIAL]

SECTION 2

2. INFORMATION ABOUT THE PROFILING TECHNIQUES OF CONSUMERS

2.1 Introduction

The TikTok core platform service¹ is an entertainment platform which allows users to create, share and browse content on any topic. Users can view and share content with the wider TikTok community and externally outside the platform. The platform features an easy-to-use interface which helps users to create, edit, and share content often containing music and visual effects. Amongst other things, the interface allows users to receive new content by swiping up, follow creators that are of particular interest to them, and search for new content/creator accounts via the search box.

TikTok utilises machine learning models² as well as non-machine learning/rule-based techniques³ to make predictions in order to deliver a more relevant, personalised and safe experience to consumers. These profiling techniques⁴ work by analysing consumer⁵ behaviour, preferences and engagement patterns to make predictive outputs related to a specific purpose. This enables TikTok to offer a customised user experience by delivering tailored features, content (e.g. with the “For You” feed⁶ and with the Following feed⁷) and advertising to consumers, facilitating meaningful connections, and improving user safety and trust in the platform.

2.1 (a)

This section of the report outlines the specific purposes pursued by each profiling technique.

Each of the defined consumer profiling techniques serve to fulfil at least one of the following high-level profiling purposes: **Content Recommendation (Personalisation), User Recommendation (Personalisation), Content Creation (Personalisation), Platform / User**

¹ The terms “CPS”, “Core Platform Service” and “online social networking service” are defined under Art. 2(2) and 2(7) DMA. [CONFIDENTIAL]

² [CONFIDENTIAL]

³ [CONFIDENTIAL]

⁴ [CONFIDENTIAL]

⁵ Article 15 DMA refers to the notion of “consumer” which is neither defined by this article nor by the DMA. TikTok therefore decided to rely on the definition provided by the Directive 2011/83/EU of 25 October 2011 on consumer rights, i.e., any natural person who [in contracts covered by this Directive] is acting for purposes which are outside his trade, business, craft or profession. For the purpose of this document, it is synonymous with an individual TikTok user with an account registered in the EU.

⁶ [CONFIDENTIAL]

⁷ [CONFIDENTIAL]

Safety, and Ads Optimisation & Targeting⁸. The table below provides a detailed description of each defined purpose and specifies the profiling techniques applicable to each one.

Table (a)1: Description and purposes of profiling techniques

	Purposes of profiling	Description and applicable profiling techniques
1.	Content Recommendation (Personalisation)	TikTok uses consumer profiling techniques so it can recommend content and provide a more enriching experience for TikTok users. The core purpose of these profiling techniques is to curate a personalised and relevant content journey for the consumer, ensuring they discover and engage with content that aligns with their interests and preferences. TikTok utilises the following applicable profiling techniques to satisfy this purpose: Predicting user interaction with the service; Predicting demographic characteristics (when profiling technique is used for content personalisation purposes); Predicting user location ⁹ .
2.	User Recommendation (Personalisation)	TikTok uses consumer profiling techniques to enhance the overall TikTok user experience by facilitating meaningful connections and fostering engagement. The purpose of the user recommendation is to provide users with personalised and relevant suggestions, enabling them to discover, connect and interact with other users who share similar interests. TikTok utilises the following applicable profiling techniques to satisfy this purpose: Predicting probability of social interaction; Predicting user location.
3.	Content Creation (Personalisation)	TikTok uses consumer profiling techniques to customise the content creation experience, ensuring recommendations for content creation tools and features are tailored to suit individual user profiles. TikTok utilises the following applicable profiling techniques to satisfy this purpose: Predicting user publishing behaviour; Predicting user location.

⁸ [CONFIDENTIAL]

⁹ TikTok only predicts approximate user location. See point 8 of table (a)2 - Description of profiling techniques - below for further details.

4.	Platform / User Safety	TikTok uses consumer profiling to support and ensure the safety and security of TikTok users. The profiling techniques can help to identify patterns associated with potentially harmful activities or users exposed to those. Primarily, the goal is to proactively detect early signs of potential threats enabling timely intervention and the implementation of targeted safety measures. Additionally, TikTok uses consumer profiling techniques to determine the relevant legal terms that apply to each user, as well as the appropriate app settings based on their profile. TikTok utilises the following applicable profiling techniques to satisfy this purpose: Identification of bad actors; Predicting demographic characteristics (when profiling technique is used for platform / user safety purposes); Predicting user location.
5.	Ads Optimisation & Targeting	TikTok uses consumer profiling techniques to enable users to receive ads which are likely to be of interest to them, and to connect advertisers to users who are likely to be interested in their products and/or services. TikTok utilises the following applicable profiling techniques to satisfy this purpose: Predicting user interests – advertisements; Predicting user response to ads; Predicting demographic characteristics (when profiling technique is used for ad personalisation purposes); Predicting user location.

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Table (a)2: Description of the profiling techniques applied within TikTok

	Profiling Technique	Description of the profiling techniques applied within TikTok
1.	Predicting user interaction with the service	Prediction of user interactions with the service primarily involves the analysis of usage information (including through responses to user surveys) to forecast how users are likely to interact with TikTok content and features in the future. [CONFIDENTIAL]

2.	Predicting user interests – advertisements	This consumer profiling technique primarily uses usage information to categorise users into interest based advertising audience segments. [CONFIDENTIAL]
3.	Predicting user response to ads	This consumer profiling technique is used by TikTok to rank and optimise advertising effectiveness based (i) on user interactions with advertisements on TikTok as well as (ii) information shared by third parties (i.e. advertisers) related to users and/or their activity outside of TikTok, where applicable. [CONFIDENTIAL]
4.	Predicting probability of social interaction	This consumer profiling technique is used to predict a user’s likelihood of connecting or interacting with other users. [CONFIDENTIAL]
5.	Predicting user publishing behaviour	This consumer profiling technique is used to predict how users will engage in content creation. [CONFIDENTIAL]. Understanding these behaviours, TikTok can provide personalised content creation tools.
6.	Identification of bad actors	This profiling technique is used to identify and flag high probability users (i) exhibiting usage patterns associated with potentially harmful activities or (ii) exposed to potentially harmful activities. [CONFIDENTIAL]
7.	Predicting demographic characteristics	This profiling technique is used to predict the demographic characteristics of users, namely: <ol style="list-style-type: none"> 1. Predictive techniques used to predict the gender of a user [CONFIDENTIAL]. 2. Predictive techniques used to predict the age range of a user [CONFIDENTIAL].
8.	Predicting user location	This profiling technique is used to predict users' approximate location: [CONFIDENTIAL].

2.1 (b)

This section of the report presents a description of each category of personal data (as well as personal data¹⁰ derived from user activity) including the identification of sources for each of these categories of personal data and a description of personal data processed for profiling consumers applied to or across TikTok.

TikTok is committed to maintaining a high degree of transparency with regards to its collection and use of personal data.¹¹ The data management procedures implemented by TikTok serve to strengthen user confidence in TikTok's commitment to a robust data protection and privacy regime.

The systems underpinning the consumer profiling techniques consume input data, such as usage information and technical information,¹² to generate useful insights relating to a user's interests, preferences and expected behaviours. For the purposes of this report, TikTok has distinguished between personal data actively provided by users and data observed from user activity. Data actively provided by the user is information such as that provided by users during account creation (Account Information) and uploaded through user content. Usage information (such as likes, shares, comments, and watch time), video information (such as hashtags, captions and audio), and technical information related specifically to the user's device and account settings (such as operating system and IP address) are classified as data observed from user activity. [CONFIDENTIAL]

TikTok has analysed the use of input data and leveraged the taxonomy specified in the publicly available [Privacy Policy](#) to effectively categorise the data into the following subtypes: **Account Information; User Content; Your Contacts and Other Connections; Technical Information; Location Information; Usage Information; Inferred Information¹³; and Advertising / Measurement and other Partners**. The table below contains a detailed description of each category of personal data as presented in the [Privacy Policy](#).

¹⁰The term "personal data" is defined under Article 4(1) of Regulation (EU) 2016/679 (the "GDPR") as any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological; genetic, mental, economic, cultural or social identity of that natural person.

¹¹ See section 2.1(l) for further information on how TikTok informs users about the collection and use of their personal data.

¹² As those terms are used in TikTok's EEA Privacy Policy.

¹³ The terms "inferred data" / "derived data" are defined under EDPB Guidelines 8/2020 on the targeting of social media users as data created by the data controller on the basis of the data provided by the data subject or as observed by the controller. These terms are also referred to as "inferred information" throughout this report.

Table (b)1: Description of categories of personal data

	Categories of personal data	Descriptions of data
1.	Account Information	Users provide information to TikTok when they register on TikTok, including their username, date of birth, email address and/or telephone number. This also includes other information disclosed in the user profile, such as their photograph or profile video.
2.	User Content	TikTok collects the content users create, import, upload or publish through TikTok, such as photographs, videos, audio recordings, livestreams, comments, hashtags, feedback, reviews, and the associated metadata (such as when, where, and by whom the content was created).
3.	Your Contacts and Other Connections	If permission is granted by the user, TikTok will collect information from the user’s device phone book such as names, phone numbers, and email addresses, and match that information to TikTok users. If the user chooses to find other users through their imported social network contacts, TikTok will collect the user’s public profile information (e.g. user name) as well as their social network contact list. TikTok also collects information about the accounts the user follows and that follow the user.
4.	Technical Information¹⁴	TikTok collects certain device and network connection information when users access TikTok. This information includes device model, operating system, IP address, system language and device settings. TikTok also collects service-related, diagnostic, performance information, including crash reports and performance logs. TikTok automatically assigns users with a device ID and user ID.
5.	Location Information	TikTok collects information about users’ approximate location (e.g. country, state or city) based on users’ Technical Information (such as SIM card and IP address). Also, where users enable location services for TikTok within their device settings, TikTok collects approximate location information from the user’s device.

¹⁴ This also includes information obtained through the use of cookies.

6.	Usage Information¹⁵	TikTok collects information regarding how users engage with the platform, including information on how users interact with content and ads, the duration and frequency of use, engagement with other users, and search history.
7.	Inferred Information	TikTok infers users attributes (such as age range and gender), and interests. TikTok uses inferences, for example, to keep the platform safe, to show users relevant information, and, where permitted to serve users personalised ads based on individual users' interests.
8.	Advertising/ Measurement and other Partners¹⁶	Advertisers ¹⁷ measurement and other partners share information with TikTok about TikTok users and the actions they have taken outside of the platform, such as their activities on other websites and apps or in stores, including the products or services they purchased, online or in person. These partners also share information with TikTok, such as mobile identifiers for advertising, hashed email addresses and phone numbers, and cookie identifiers, which help match users and their actions outside TikTok to their TikTok account. Some of TikTok's advertisers and other partners enable TikTok to collect similar information directly from their website or app by integrating TikTok Advertiser Tools (such as TikTok Pixel).
9.	Messages	TikTok collects metadata about messages sent or received on TikTok (such as the time the message was sent, received or read, as well as the participants in the communication).
10.	Purchase Information	When you make a purchase, a payment, or other transaction on or through the platform, including when you buy TikTok Coin, ¹⁸ TikTok collects information about the transaction, such as [information about the] products you purchased.

¹⁵ This also includes information provided through user survey responses.

¹⁶ This also includes information obtained through the use of cookies.

¹⁷ [CONFIDENTIAL]

¹⁸ TikTok Coins are a virtual currency that users can purchase to send gifts to creators on TikTok in accordance with TikTok's [Virtual Items Policy](#).

The table below aims to distinguish first-party and third-party sources of data. Particularly, it sets out:

- whether that data is actively provided by users or observed by TikTok [CONFIDENTIAL], and
- whether the data is sourced from a third party (e.g. advertisers).

Some profiling techniques use data from a combination of both first and third-party sources.

As further explained in section 2.1(c), third-party data may be used in relation to processing activities related to Ads Optimisation & Targeting, as well as for Content Recommendation and User Recommendation purposes. However, for the latter two purposes, the only third-party that may be used is the Facebook contact list, and this occurs only when users choose to sync their Facebook contact list with their TikTok account.

Table (b)2: Description of data sources for each category of personal data listed in table (b)1

Categories of personal data (please refer to the description in table (b)1 above)	Type of data (provided by users or observed)	Data Source
User Content	Provided by Users	TikTok CPS
Technical Information ¹⁹	Observed	TikTok CPS / TikTok Ads / Third Party*
Usage Information ²⁰	Observed	TikTok CPS / TikTok Ads
Inferred Information	Observed	TikTok CPS / TikTok Ads
Account Information	Provided by Users	TikTok CPS / Third Party*

¹⁹ This also includes information obtained through the use of cookies.

²⁰ This also includes information provided through user survey responses.

Location Information	Observed	TikTok CPS
Your Contacts and Other Connections	Provided by Users	TikTok CPS / Third Party**
Advertising / Measurement and other Partners (i.e. event information) ²¹	Observed	Third Party
Messages	Observed	TikTok CPS
Purchase Information	Observed	TikTok CPS

* Where the relevant personal data is provided by third parties (e.g. advertisers or third party platforms) for the purpose of Ads Optimisation & Targeting.

** Where users choose to sync their Facebook contact list with their TikTok account.

2.1 (c)

This section of the report sets out a description of each category of personal data and data originating from third parties and/or data derived from user activity on third-parties' services.

As mentioned in section 2.1(b), TikTok may process data provided by third parties for different purposes. For instance, TikTok processes data received from advertisers for the purpose of Ads Optimisation & Targeting. This is separate and distinct to the data TikTok receives if a user chooses to sync their Facebook contact list with their TikTok account, which TikTok processes for Content Recommendation and User Recommendation purposes. The information may be provided by users or observed from user activity on the third-party platforms. TikTok has analysed its use of data from third parties, including whether it is provided by the user or observed, and identified the following categories of personal data collected from third parties in relation to profiling: **Account Information, Technical Information, Your Contacts and Other Connections** and **Advertising / Measurement and Other Partners**.

A detailed description of the types of data collected from third parties for each category of personal data is set out in the table below.

²¹ This also includes information obtained through the use of cookies.

Table (c)1: Description of categories of personal data collected from third parties

Categories of personal data	Types of third-party data
Account Information	<p>Contact Details:</p> <ul style="list-style-type: none"> - Where a user creates an account on TikTok using sign-in features provided by a third-party platform, TikTok may collect their email address and public profile information (e.g. user name).
Your Contacts and Other Connections	<p>Where users choose to sync their Facebook contact list with their TikTok account, TikTok collects the users' Facebook Friends list to help connect them to a matching TikTok account.</p>
Advertising/ Measurement and other Partners	<ol style="list-style-type: none"> 1. Event information: an event that was triggered by the user on the advertiser's property. [CONFIDENTIAL] 2. Timestamp, Metadata & Button Clicks: this includes the time that the pixel event fired which is used to determine when website actions took place. [CONFIDENTIAL] 3. Technical Information: this includes IP address and user agent, used to determine the location of an event (country/region/city level), and the device make, model, operating system, and browser information. 4. Cookies: Cookies help with the attribution, measurement, optimisation, and targeting of advertisers' campaigns. [CONFIDENTIAL]. Advertising identifiers are captured securely and safely via an industry-standard hashing algorithm (SHA-256). 5. Contact Details: [CONFIDENTIAL]. Contact details are captured securely and safely via an industry-standard hashing algorithm (SHA-256).

TikTok processes data received from advertisers for the purpose of Ads Optimisation & Targeting. This is separate and distinct to the data TikTok receives if a user chooses to sync their Facebook contact list with their TikTok account, which TikTok processes for Content

Recommendation and User Recommendation purposes. The table below describes the different data sources for each specific category of personal data defined above.

Table (c)2: Description of data sourced from third parties (as input data)

Categories of personal data (please refer to the description in table above)	How third parties collect data
Account Information	Provided by users
Your Contacts and Other Connections*	Provided by users
Advertising/ Measurement and other Partners ²²	Observed

* Where the users choose to sync their Facebook contacts list with their TikTok account.

2.1 (d)

This section of the report provides a detailed description of the inferred data about consumers derived from the processing of the data and personal data in sections 2.1(b) and (c) above. In addition, the reader will find the explanation of how such derived or inferred data were created by TikTok.

TikTok utilises the techniques outlined in section 2.1(a) to make inferences about user preferences, interests and behaviours, which they then use to tailor and refine the user experience, ensure platform safety, and target advertisements.

TikTok has identified the following categories of inferred user data generated by each of the consumer profiling techniques from the processing of data and personal data types listed in sections 2.1(b) and (c) above: **Classifications Labels; Probability Distribution; Ranking Scores; Features; Embeddings.**

The table below provides a detailed description of the inferred data created and explains the process used by the profiling techniques to generate such data.

²² This also includes information obtained through the use of cookies.

Table (d)1: Description of inferred categories of data and the process used to generate such data

Category of inferred data	Inferred data	Description and inference process
Classification labels	Behaviour Violation Classification	[CONFIDENTIAL]
	User Classification	[CONFIDENTIAL]
Probability distribution	User Behavior Probability	[CONFIDENTIAL]
	Behaviour Violation Probability	[CONFIDENTIAL]
Ranking scores	User Recommendation Ranking	[CONFIDENTIAL]
	Content Recommendation Ranking	[CONFIDENTIAL]
	Ad Recommendation Ranking	[CONFIDENTIAL]
	Content Creation Ranking	[CONFIDENTIAL]
Features	User Features	[CONFIDENTIAL]

Embeddings	Content Embeddings	[CONFIDENTIAL]
	User Embeddings	[CONFIDENTIAL]

2.1 (e)

This section of the report lists the retention duration of each category of data and personal data listed in sections 2.1(b), (c) and (d) above.

TikTok retains information for as long as 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. For example, when TikTok processes consumer information to provide TikTok users with the platform, the information is retained for as long as the user has an account (in accordance with the description in the table below). This information includes the user’s Account Information, and User Content. If the user violates TikTok’s [Guidelines](#) or [Terms](#), TikTok may remove a user’s Account Information and/or User Content from public view immediately but keep their information as is necessary to process the violation.

[CONFIDENTIAL]

2.1 (f)

This section provides details on the legal basis that TikTok relies on to process personal data pursuant to Article 6(1) of the GDPR. TikTok has also included a distinction of the legal basis relied on to process personal data collected directly by TikTok and the legal basis relied on to process personal data originating from third parties.

TikTok only processes the personal data of users when there is a legal basis to do so. The determination of the relevant legal basis for the processing of personal data depends on the purpose of the processing.

TikTok has established the legal basis for the processing of personal data for each category of personal data set out in Table (b)1. The table below specifies (i) the legal basis relied on for the processing of personal data collected directly by TikTok and (ii) where applicable, the legal basis relied on for the processing of personal data originating from third parties.

Table (f)1: Legal ground relied on by TikTok, distinguishing between personal data collected directly by TikTok and that originating from third parties

Purpose of Profiling Technique	Profiling technique	Legal basis	
		TikTok	3rd Party
Ads Optimisation & Targeting ²³	Predicting user response to ads	Consent	Consent
	Predicting user interests – Advertisements	Consent	Consent
	Predicting demographic characteristics (when profiling technique is used for ad personalisation purposes)	Consent	N/A
	Predicting user location (country/region/city level) NB: location data will be used for non-personalised ad purposes (eg. ensuring that users in France are served ads in French) regardless of the user consent choice.	Legitimate Interests	N/A

²³ Since July 2023, users in the EEA aged 13-17 are no longer served personalised advertising based on their activities on or off TikTok. More information can be found here: <https://ads.tiktok.com/business/en/blog/privacy-updates-improved-data-control-transparency-tools>

Content Recommendation (Personalisation)	Predicting demographic characteristics (when profiling technique is used for content personalisation purposes)	Performance of a Contract	Consent*
	Predicting user interaction with the service	Performance of a Contract	Consent*
	Predicting user location (country level)	Performance of a Contract	N/A
Content Creation (Personalisation)	Predicting user publishing behaviour	Performance of a Contract	N/A
	Predicting user location (country level)	Performance of a Contract	N/A
User Recommendation (Personalisation)	Predicting the probability of social interaction	Performance of a Contract	Consent*
	Predicting user location (country level)	Performance of a Contract	N/A
Platform / User Safety	Identification of bad actors	Legitimate Interests	N/A
	Predicting demographic characteristics (when profiling technique is used for platform / user safety purposes)	Legitimate Interests	N/A
	Predicting user location (country level)	Performance of a Contract	N/A

* Where users choose to sync their Facebook contact list with their TikTok account.

2.1 (g)

This section of the report sets out whether consent is required under Article 5.2 of the DMA for TikTok to process personal data identified in sections 2.1 (b), (c) and (d) above for each purpose of profiling consumers.²⁴ This includes distinction of consent under points (a) to (d) of Article 5.2 of the DMA, and in the cases where consent is not required, an explanation of the same.²⁵

Pursuant to Article 5.2 of the DMA, TikTok is required to present users with a specific choice regarding their consent for the processing of their personal data in the following circumstances:

- a) Processing, for the purpose of providing online advertising services, the personal data of end users²⁶ using services of third parties that make use of TikTok;
- b) Combining personal data collected on TikTok with personal data from any further services provided by ByteDance or with personal data from third-party services²⁷;
- c) Cross-using personal data from TikTok in other services provided separately by ByteDance; and
- d) Signing-in end users to other services of ByteDance in order to combine personal data.

[CONFIDENTIAL]

2.1 (h)

This section of the report details any steps that TikTok has taken to seek consumer consent to profiling, including visual representations (click-by-click)²⁸ on how consumers can refuse or withdraw consent, any consequences of such refusal or withdrawal, and how any of those consequences are notified to the consumer. This section is relevant where TikTok requires consent to process personal data pursuant to GDPR, Directive 2002/58/EC (the **ePrivacy Directive**) and/or the DMA.

²⁴ Consent prompts will only be presented to users after they have successfully passed TikTok's age gate.

²⁵ [CONFIDENTIAL]

²⁶ [CONFIDENTIAL]

²⁷ [CONFIDENTIAL]

²⁸ [CONFIDENTIAL]

Consumer consent is a key aspect of the data protection requirements TikTok is subject to through the GDPR, the ePrivacy Directive and/or the DMA. Consumer consent is obtained by TikTok in respect of the following consumer profiling techniques²⁹: **Predicting user interests – advertisements, Predicting user response to ads, Predicting demographic characteristics (when the profiling technique is used for ad personalisation purposes).**

Before serving personalised ads, TikTok displays a personalised advertising prompt (“**PA prompt**”)³⁰ proposing the following two options to users:

- offers the opportunity for users to select “Personalised Ads”, meaning the user consents to personalised advertising;
- offers the opportunity for users to select “Generic Ads”, meaning that the user does not consent to personalised advertising.

[CONFIDENTIAL]

Users are notified of these consequences through (i) the PA prompt, in particular under the "Generic ads" option, (ii) the [Privacy Policy](#) and (iii) TikTok's “[Ads and Your Data](#)” Privacy Centre Article, which are directly linked to the PA prompt. They can also obtain further information in TikTok's [Cookie Policy](#) and in the "[How your ads are personalised](#)" Help Center Article.

[CONFIDENTIAL]

2.1 (i)

This section of the report relates to the consent required and obtained by third parties. It describes any steps taken by third parties to seek consent to the sharing of personal data with TikTok for the purpose of profiling, including visual representations (click-by-click)³¹ on how consumers can refuse or withdraw consent, and how TikTok ensures respect of consumers' consent refusal or withdrawal.

TikTok may use third-party data for the purposes of profiling consumers as further explained in section 2.1(c).

²⁹ [CONFIDENTIAL]

³⁰ The PA prompt will only be presented to users after they have successfully passed TikTok's age gate.

³¹ This section only focuses on the app UX (i.e. iOS and Android) given the limited user engagement on the Web version.

Under the [TikTok Business Products \(Data\) Terms](#), third parties are bound by several requirements to take all necessary steps to obtain consent prior to the sharing of third-party data (internally defined as "Business Products Data") with TikTok:

- **"Business Products Data"** means:
 - contact details that enable an individual to be directly identified, such as their name, phone number or email address (whether such information is uploaded by the advertiser or collected by TikTok in connection with the advertiser's use of TikTok Business Products);
 - developer information that third parties share or TikTok collects in connection with TikTok Developer Tools about individuals or their device (including HTTP header information such as user agent, IP address, country, language, and information about the web browser or app used) in connection with any TikTok Developer Tools integrated on advertisers (or third party) sites or apps.
 - event information that third parties share or TikTok collects in connection with the use of TikTok Advertiser Tools about individuals or their device (including HTTP header information such as user agent, IP address, country, language, and information about the web browser or app used), including actions users take outside of TikTok, such as on advertiser (or third party) sites and apps including visits to advertiser sites, installations of your apps, and purchases of advertiser products.
- **Requirements for sharing and collecting Business Products Data:** Third parties are contractually required to have provided all necessary transparency notices, and have all necessary rights, permissions and lawful bases (including consent) required by applicable laws in order to share personal data with TikTok or enable TikTok to access Business Products Data for use (Clause 2.5).
- **Requirements to access and/or store information on end user devices:** Third parties are contractually required to obtain all necessary and verifiable prior consents to permit TikTok's lawful collection and/or storage of information on the end user's device, where such consents are required under applicable law and/or platform standards for such access/storage (Clause 4.4).

Once a user has refused or withdrawn its consent on a third-party website, the relevant third party is legally required to stop sharing the user's data with TikTok (e.g. via Pixel).

While it is up to each advertiser (third-party platform) to ensure it respects users' choice to refuse / withdraw previously granted consent to process users' data in accordance with applicable law, users also have the option directly through TikTok of:

- configuring their own in-app ad settings to opt out of personalised ads based on their activity on TikTok and the data received from third parties (i.e. via a blanket control to opt out of personalised ads);
- stop the tailoring of ads with their off-TikTok data from a specific advertiser (i.e. by choosing to disconnect an advertiser); and/or
- opting for a retrospective clearing of all off-TikTok data advertisers have shared about them.

2.1 (j)

TikTok does not engage in decisions based solely on automated processing, including profiling, that produce legal effects or similarly affect the data subjects (as defined under Article 22 of the GDPR). This results from the fact that either (i) a human intervention takes place in the decision-making process (meaning that the decision is not "based solely on automated processing") or (ii) the decision at stake does not produce any legal effects or similarly significant effects for the data subject.

[CONFIDENTIAL]

2.1 (k)

This section of the report focuses on qualitative and quantitative impact or importance of the profiling techniques in question for the services and business operations of TikTok, including the number of end users exposed to each profiling technique per year and the number of business users³² using TikTok's services based on profiling per year, within TikTok and, where relevant, across multiple core platform services.

For the purposes of this description, TikTok's analysis includes a comprehensive study of both the qualitative and quantitative impacts of the profiling techniques to TikTok and business operations. The profiling techniques deployed by TikTok are beneficial to both the user and

³² Under Article 2(21) DMA, the term "business user" refers to any natural or legal person acting in a commercial or professional capacity using core platform services for the purpose of or in the course of providing goods or services to end users. [CONFIDENTIAL]

the business. TikTok's mission is to inspire creativity and bring joy, and the profiling techniques used by TikTok help to do that by improving the user's experience and enjoyment with the TikTok platform.

Profiling improves user safety and increases trust in the platform. It also results in more personalised content recommendations, ensuring that TikTok users see and create content that aligns with their interests, preferences, and behaviour. Additionally, consumers and advertisers benefit from targeted advertisements that are more relevant to user interests, leading to a more positive and tailored advertising experience which helps users discover new products or services aligned to their interests and helps advertisers reach relevant users.

TikTok believes that profiling techniques improve the consumer experience, enhance the effectiveness of advertising campaigns, build trust and increase consumer satisfaction. TikTok has conducted a comprehensive analysis of the profiling techniques defined in section (b) to understand their impact on users and the business. In summary, the benefits of the profiling techniques are as follows:

- **Identification of bad actors** helps to ensure user safety and improves experience on the platform leading to increased trust in TikTok.
- **Predicting demographic characteristics** enhances (i) the content personalisation and ad personalisation purposes by predicting user gender and (ii) the content personalisation, ad personalisation and platform / user safety purposes by identifying minors and users' age range.
- **Predicting user interaction with the service** enhances users experience by tailoring content, features and recommendations and predicting users' interactions with the platform using historical user data, engagement patterns, and platform interactions to forecast how users are likely to interact with TikTok in the future.
- **Predicting probability of social interaction** fosters social connections by helping users to locate and interact with other users likely to be of interest to them on the platform.
- **Predicting user publishing behaviour** helps users to create high quality content and aids their creation of new content.
- **Predicting user interests – Advertisements** enhance the relevance of ads, ensuring that consumers are presented with promotional content that is tailored to their interests. This is also done by identifying users' interests through consumer surveys.
- **Predicting user response to ads** optimise advertising effectiveness and predict how users will respond to advertisements, based on users' past interactions and engagement with ads.

- **Predicting user location** helps to ensure that the relevant platform experience is provided to users depending on their location. This includes:
 - displaying the appropriate regionalised terms, policies and settings to users;
 - delivering content that is personalised to the user's location (country/region/approximate location³³),
 - delivering ads to the relevant market (country/region/city level),
 - localising certain features to the user's country.

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2.1 (I)

This section of the report describes actions taken by TikTok to effectively enable consumers to be aware that they are undergoing profiling and the relevant use of such profiling.

Transparency is important to TikTok and this includes informing users of how their data is used for profiling. Through its various tools and publications TikTok strives to ensure that users are clearly aware of the profiling they are subject to. The tools and publications include: [Privacy Policy](#), [Privacy Centre](#), [Help Centre](#), and App settings/in-App notice. All these tools and publications are available to the user 24/7 on the TikTok platform.

TikTok is committed to informing its users about the ways their personal data is processed. To inform users of profiling, TikTok has a published [Privacy Policy](#) 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 users' data, how long it is retained, and information relevant to transfers of data. Specific sections of the [Privacy Policy](#) dedicated to the profiling are: "What Information We Collect", "How We Use Your Information", "Our Legal Bases and How We Process Your Information", and "Younger Users".

TikTok has a dedicated [Privacy Centre](#) where users can find further information on how TikTok protects their privacy. The Privacy Centre can be accessed by users at any time. The centre includes different sections, including the "Learn about data" section, which explains

³³ Content recommendation uses approximate GPS data where location services have been enabled by the user in their device settings.

how TikTok recommends videos to users and the “[Ads and Your Data](#)” section, which details what users’ personal data may be used for personalised ads.

Users also have access to the [Help Centre](#) at any time. The Help Centre enables users to find information about a wide range of topics, such as [how users can manage personalisation on TikTok](#), [how TikTok may suggest an account to users](#), [how TikTok recommends content](#), [how TikTok uses location information](#), or [how ads are personalised](#).

In addition, users may find further information directly in their app settings or through in-app notice/prompts. For instance, details about personalised ads and location information are available directly in the consent prompt. Users can also have further information on how to manage their personalised ads, personalised feeds and searches or users suggestions directly within their app settings or during their browsing experience (e.g., through “[Why this video](#)” and “[About this Ad](#)” icons directly accessible in their feed).

Table (I)1: Different sources used to inform users undergoing profiling by each of the techniques specified in section 2.1 (a)

Profiling Technique	Privacy Policy	Help Centre Articles	Privacy Centre	App Settings / in-App notice
Predicting user interaction with the service	Y	Y	Y	Y
Prediction of user interests - advertisements	Y	Y	Y	Y
Predicting user response to ads	Y	N	Y	Y
Predicting probability of social interaction	Y	Y	N	Y
Predicting user publishing behaviour	Y	N	N	N
Predicting demographic characteristics	Y	Y*	Y*	Y

Predicting user location	Y	Y	Y	Y
Identification of bad actors	Y	Y	N	N

*only when profiling technique is used for Ads Optimisation & Targeting purposes.

2.1 (m)

[CONFIDENTIAL]

2.1 (n)

This section of the report provides information on whether and when the profiling technique has been the subject of a data protection impact assessment (“**DPIA**”) and the main conclusions thereof.

In accordance with Article 35 of the GDPR, and following consultation with the Data Protection Officer, TikTok conducts DPIAs as required by applicable law.

TikTok considers profiling techniques, including the introduction of new profiling techniques or changes to existing profiling techniques used. These are assessed and privacy risks to the individuals are identified and appropriately mitigated.

[CONFIDENTIAL]

2.1 (o)

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, including delivering the tailored features and content that users expect.

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This is without prejudice to TikTok’s recent work to comply with Article 38 of the Digital Services Act by implementing non-personalised solutions for certain features of its services which qualify as “recommender systems”.