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Precedents Set

By Mark Roberti

One of the things I've been preaching for a while is the need for openness in any RFID trial that involves consumers. The press needs to be alerted, signs need to be posted, and consumers need to be informed about what RFID is, the purpose of the trial and how their privacy is being protected. Marks &

Spencer has done all of these things (see U.K. Trial Addresses Privacy Issue).

Actually, the U.K. retailer, one of the leaders in deploying RFID technology in closed-loop supply chains, went even further. It contacted two privacy groups in England and Consumers Against Supermarket Privacy Invasion and Numbering (CASPIAN) in the United States to better understand their concerns about RFID tracking.



Marks & Spencer adhered to all of the requirements in legislation CASPIAN has proposed in the United States. It informed customers about the trial, placed tags on the clothes in such a way that they would be disposed of when the consumer removed the packaging and price tags, and didn't use RFID to collect any data on the customer at the point of sale.

Nevertheless, CASPIAN put out a press release entitled "Marks & Spencer Sets Dangerous Precedent in RFID Clothing Trial." The group did acknowledge "Marks & Spencer's responsible attitude toward the trial." But Katherine Albrecht, the group's founder said: "We stand firm in our opposition to item-level RFID tagging of consumer products and encourage consumers not to purchase them."

In fact, Marks & Spencer set an excellent precedent. This is the responsible way to conduct a pilot, and any retailer that plans to conduct an in-store trial would be smart to follow Marks & Spencer's example. Unfortunately, some U.S. companies

have run in-store pilots quietly, figuring the RFID tags are not being scanned at the point of sale so there is no reason to inform consumers. Not only did these retailers risk losing the trust of their own customers, but they also did a disservice to other retailers and the RFID industry. If these pilots were exposed, people would begin to wonder: "If these chips are really harmless, why didn't they just tell us about them?"

Marks & Spencer plans to hire a research firm to survey its customers to learn their attitudes toward the pilot. All retailers and privacy advocates should pay attention to the results. Given the responsible way in which the trial was conducted, it will be interesting to see if customers had any serious concerns. If they did, Marks & Spencers will have to address those concerns or choose not to deploy the technology.

I believe most people will accept RFID tags as long as companies take steps to protect their privacy, and I believe most companies will eventually figure out that they have no choice: They have to be as responsible as Marks & Spencer if they want to use RFID in consumer applications.

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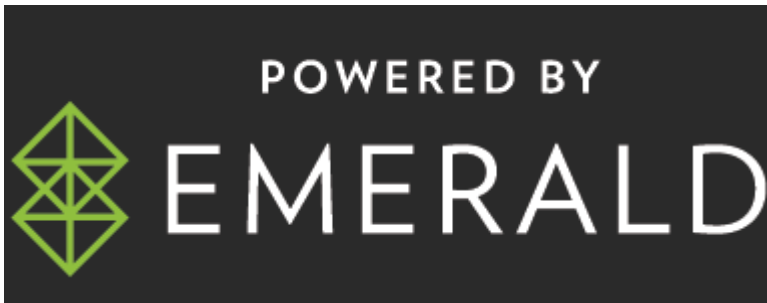
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