



Recertification

Ixquick Evaluation Short Public Report

Document: CS-X-090127-004
Customer: Surfboard Holding B.V.

Author: Certified Secure
Date: 27 January 2009
Version: 1.9

Address: Joseph Ledelstraat 92
2518 KM The Hague
The Netherlands

Telephone: +31 (70) 310 1340
Fax: +31 (70) 310 1341

Name: Frank van Vliet
Function: CTO



Abstract

The technical and legal experts have evaluated if the Ixquick service meets all the requirements set out by the applicable data protection and data security laws and regulations. While many of these requirements deal with complicated processes and highly technical or legal issues, they can be summarized in the following question:
5 How well is the user protected when using the Ixquick search engine service?

The Ixquick service ensures privacy by using several data minimization and encryption (hashing) techniques. First, personal identifying information is not stored at all, which means the system does not store any personal data. All other
10 information is removed after 14 days. Secondly, the involved third parties receive only the data they minimally require, and the third parties are unable to identify the users of the Ixquick service.

The conclusion is that Ixquick fulfills all the requirements and integrally protects the privacy of her users.

15 Short Evaluation Report

This documents describes the privacy evaluation performed on the Ixquick service and contains a brief summary of the results. Further questions may be directed to Ixquick (Alexander van Eesteren, alex@ixquick.com) who will forward them to the legal or technical expert.

20 **1 Finalisation date and time frame of evaluation**

November 7th 2008 – January 27th 2009

2 Provider of the IT-service

Name (company name): Surfboard Holding B.V.

KVK: Utrecht, 34111280

25 Dutch Data Protection Authority Number: m1346973

Address: Postbus 1079, 3700 BB Zeist, The Netherlands

Contact person: Alexander van Eesteren (alex@ixquick.com)

3 Name and address of the technical expert:

Name (company name): Certified Secure B.V.

30 Address: Joseph Ledelstraat 92, 2518KM, The Hague, The Netherlands

Contact person: Frank van Vliet (frank.vanvliet@certifiedsecure.nl)

4 Name and address of the legal expert:

Name (company name): Borking Consultancy

Address: Lange Kerkdam 27, 2242BN, Wassenaar, The Netherlands

35 Contact person: John Borking (jborking@xs4all.nl)



5 Name of the IT-service:

Ixquick™ meta-search engine as provided on January 27th 2009.

6 General description of the IT-service:

5 Ixquick is a meta-search engine, based in the Netherlands. The evaluated functionality is the web meta-search engine (with the exception of searching for pictures and movies), which combines multiple individual search engines into a weighted average, producing more relevant search results. Ixquick especially focuses on protecting the privacy of its users.

7 In which countries is the IT-service offered? Is it aimed at transnationally operating bodies or entities?

10 The Ixquick service is offered worldwide; it is native in 17 languages. The servers are located in The Netherlands and California, USA and users are directed to the nearest servers. In case of failure or overload of the servers in one location, the users are automatically transferred to the other location. The European Legislation is applicable irrespective of the servers' location.

8 Tools being used by provider of the IT-service:

15 At the time of evaluation, all systems use SuSE Linux 9.2, IP Virtual Server Stack 1.2.1, Apache 1.3.39, Bind 9.4.2, OpenSSL 0.9.8g and Perl 5.8.5.

9 Which version of the EuroPriSe Criteria Catalogue did you refer to for the evaluation?

20 Version 0.2

10 Innovations and changes of the IT-based service:

25 Previously, the IP address of each user was stored in the web server log file and the application log file. This IP address was identifying the user, and linking him to his searches. The IP addresses were removed after 48 hours.

30 With the new Zero-IP change, the IP address of each user is no longer stored in any log file. This effectively decouples the IP address from the search terms, and anonymizes them completely. The Exclude Repetitive Results cookie is also removed from the log files, ensuring that no identification of users can be made based on those log files.

11 Evaluation Results:

The evaluation has included an in depth examination based on the European Law and regulations. In this chapter, a short overview of the most important aspects is presented.

Data flow

35 One of the most important aspects of the protection of privacy is the sharing of personal data. Without consent of the user (data subject), sharing of personal data is a serious violation of the privacy law. At any time has to be prevented



that a company (organization) sells or otherwise shares the privacy sensitive information of her users with third parties.

To assess this sharing of personal data, the flows of data should be examined. For the Ixquick service, there are three:

- 5 1. When a user enters some search terms on the Ixquick web site, they are transmitted to the Ixquick service.
2. These search terms are then transmitted to various other search engine and their results are aggregated for the user.
- 10 3. The search terms are also transmitted to an advertisement partner, who basically provides some links based on the search terms that are displayed on the search results page as sponsored results.

For data to be considered personal data (and thus privacy sensitive), the actual user needs to be identifiable. IP addresses are to be considered personal data in that respect. The first flow of data contains personal data; the user who searched for a certain search term is identifiable found because his IP address is known. The second and third flows contain no personal data because the IP address of the user is not transmitted to these third party servers. Ixquick basically acts like a proxy service, since the third party servers will only see the IP address of Ixquick. The advertisement partner does need some method to identify fraud, and is provided with truncated hash values of the users IP address. This enables the advertisement partner to detect automated requests without giving him the opportunity to gain knowledge about the IP address. When a user clicks on a sponsored result, it is transferred to the advertisement partner and is therefore outside the protection of privacy by the Ixquick service. It can be concluded that Ixquick does not share personal data with any third party.

Company privacy practices

If no third party received the personal data, then Ixquick is the only entity with access to the personal data. To ensure Ixquick does not compromise the privacy of her users, each employee has signed a Non Disclosure Agreement (a contract where employees sign they will not disclose any information to others).

Also, a detailed and informative privacy policy is presented on the website in multiple languages and is linked from the homepage and at the bottom of all pages containing search results. This allows user to easily understand how Ixquick handles their privacy. Next to a privacy policy, there is also a special privacy page available on Ixquick accessible from the home page. This privacy page provides an in-depth explanation of Ixquick's privacy practices, a privacy Q&A section – answering the most common questions a user might have regarding his privacy – and further privacy background information.

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Storage of personal data

5 Ixquick does not store indentifiable information like IP addresses. This means that no personal data of the user is stored. The Ixquick service uses an abuse detection system, which automatically detects systems that generate too many search requests. For this system, the hashed IP address of each user is stored for two hours in the system memory, and for identified abusers of the system, the IP address and search terms are written to a log file. This log file is anonymized (the IP addresses are replaced with 0.0.0.0) after 48 hours and is deleted after 14 days.

10 *Cookies*

The last aspect discussed in this evaluation summary is the use of cookies. A cookie is a piece of information stored in the browser of the user, which potentially allows the website to track her users. The Ixquick service does not use such tracking cookies, and uses only 2 – non tracking – cookies:

- 15 1. One of the cookies (the preferences cookie) is used to remember the search preferences saved for the users next visit, like the preferred theme on the site and the preferred language. This cookie expires after 90 days.
- 20 2. The second cookie (the exclude repetitive results cookie) prevents the same search results from being shown when a user performs a follow-up search with the same search term. This cookie contains a unique value for each search, but cannot be used to track users because it expires immediately at the end of the search session (which is when the user closes his browser or performs a new search).

25 **12 If the IT-service fulfils the requirements only with the grade "*barely passing*", how does the IT-service compensate this deficiency?:**

This question is not applicable since the Ixquick service fulfils the requirements with grades "*excellent*" and "*adequate*".



13 How does the IT-service encourage privacy?

5 The Ixquick service ensures privacy by using several data minimization and encryption (hashing) techniques. First, personal identifying information is not stored at all, which means the system does not store any personal data. All other information is removed after 14 days. Secondly, the involved third parties receive only the data they minimally require, and the third parties are unable to identify the users of the Ixquick service.

I certify herewith, that the above-named IT-service is compliant with the data protection and data security.

10 Signature of the technical expert

Signature of the legal expert

Enschede, 2009-01-27

Wassenaar 2009-01-27