

# ANA DPF Dispute Resolution Annual Report

## Reporting Period: July 17, 2024 - July 16, 2025

- Executive Summary
- Overview: role, purpose, compliance services, outreach and transparency
- Participating Companies
- Complaint Overview
- Renewal Process



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DPF DISPUTE  
RESOLUTION

ANA's mission is to drive growth for marketing professionals, brands, businesses, and the industry.

In support of such growth, and advancement of the free flow of data across our borders, the ANA serves as an approved mediator for cross-border data transfers: [ANA DPF Dispute Resolution](#).

ANA serves such mediation services to interested [member](#) and nonmember companies and data providers. The ANA has not, and does not, provide verification services.

ANA offers compliance services and education through its [business-facing](#) and [consumer-facing](#) sites; appropriate committees, webinars, conferences, group calls and email communications.

Annual mediation fees for the ANA DPF Dispute Resolution is complimentary (included in the general ANA membership package). Nonmember pricing is available - varies depending on annual company revenue.

An applicant must provide the ANA: a signed contract, contact information, privacy notice/link for staff review, and annual ANA DPF Dispute Resolution fee, if applicable.

# Executive Summary

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# Executive Summary

- ▶ ANA serves 23 participating companies
  - 13 ANA member companies
  - 10 nonmember companies
- ▶ ANA emailed 12 alerts to participating companies to update on news and activity related to cross-border data transfers
- ▶ ANA received 11 complaints through the ANA DPF Complaint process (*see chart for details*)
  - ▶ \*One complaint qualifies as a DPF-related inquiry

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Origin of Complaint	Type of Complaint	Company	Resolution Response Time
*France	Close account to delete pictures	Adobe	20 days
Germany	Customer service/tech support issue with software	Adobe	1 day
UK	Customer service issue involving payment	Adobe	3 days
Canada	Removal from marketing communications	Adobe	5 days
Unclear	Cancel subscription	Adobe	1 day
U.S.	CCPA (California Consumer Privacy Act) data erasure request	n/a	1 day
U.S.	Child protected services issue	n/a	1 day
U.S.	Concerned about business partner hacking him	n/a	1 day
U.S.	Possible hacking/ID theft concern	Samsung	2 days
U.S.	Removal from deceptive marketing communications	Home Warranty Division	17 days
U.S.	Unclear nature of complaint (consumer didn't respond to request for additional information)	n/a	1 day

# Main Steps to Join DPF Program



**Designate an accountable executive and train appropriate staff**



**Operationalize and verify compliance with core DPF Principles:** notice, choice, security, onward transfer, data integrity and purpose limitation, access, and recourse, enforcement and liability



**Develop and post a DPF-compliant privacy notice with appropriate language and links, ANA staff can review/not certify**



**Select a third party (ANA) to serve as your Dispute Resolution Provider, renew annually**



**Self-certify with U.S. Department of Commerce, renew annually**



**Pay initial fee to Arbitration Fund**

# Key Components of the ANA DPF Dispute Resolution

Serves as a 3<sup>rd</sup> party, independent dispute resolution provider for unresolved EU, UK, and/or Swiss data privacy complaints

Covers offline and online data issues

Issues email alerts to participating companies to update on cross-border data news and activity (issued 12 alerts during reporting period)

Provides technical assistance and compliance materials - including a staff review of the company's privacy notice

Provides access so that there are no barriers to the filing of a complaint, free to consumers

Provides finality for the consumer by reaching an independent determination of the dispute in a fair and timely manner

Provides enforceability of the final conclusions in the determination of the consumer's dispute

Provides an ANA DPF Dispute Resolution Mark

Does *not* provide verification services



# ANA DPF Dispute Resolution Outreach and Transparency



To promote clarity, accessibility and transparency, ANA requires its participating members to provide in its DPF Notice:

- Company contact - information
- ANA DPF contact information/[link to site](#)
- ANA DPF logo



ANA has a dedicated email address/process for an EU, UK or Swiss consumer or business to contact us:

[dpf@ana.net](mailto:dpf@ana.net)  
[complaint forms](#)



ANA has DPF compliance resources for:

- [businesses](#)
- [consumers](#)



ANA Center for Ethical Marketing has outreached about DPF, GDPR and cross-border data transfer programs through:

- Webinars
- Conference sessions
- Industry briefings
- Committee meetings
- Member calls
- Alerts



**DPF DISPUTE  
RESOLUTION**

# Renewal Process in Three Steps

## **1) ANA DPF Dispute Resolution**

Current ANA members can continue to select the ANA for DPF Dispute Resolution, as a complimentary mediation service (must complete separate ANA DPF Dispute Resolution renewal form).

Nonmembers can also continue to select the ANA for DPF Dispute Resolution, prices vary depending on annual company revenue.

## **2) U.S. Department of Commerce**

Company renews its self-certification annually with the U.S. Department of Commerce to participate in the DPF program.  
*Annual fee applies – see chart.*

## **3) Arbitral Fund**

Company must initially (*not annually*) contribute to an Arbitration Fund.

Organization's Annual Revenue	A Single Framework	Both Frameworks
\$0 to \$5 million	\$260	\$390
Over \$5 million to \$25 million	\$750	\$1,125
Over \$25 million to \$500 million	\$1,600	\$2,400
Over \$500 million to \$5 billion	\$4,130	\$6,195
Over \$5 billion	\$5,530	\$8,295



**DPF DISPUTE  
RESOLUTION**

# Participating Companies and Complaint Overview

# ANA DPF Dispute Resolution Participating Companies

**The ANA serves 23  
participating companies:**

13 ANA member companies

10 nonmember companies

**During this reporting period:**

1 new company joined

**Enrollment is ongoing**



**DPF DISPUTE  
RESOLUTION**

# Consumer Complaint Qualifying Criteria

To qualify for consideration under the ANA DPF Dispute Resolution (DPF), complaints must:

- Involve an organization participating in the DOC-administered Data Privacy Framework (DPF) Program.
  - The participating company must have selected for mediation services the ANA DPF Dispute Resolution for ANA to address.
- Involve an allegation that an organization has violated the DPF Principles with respect to complainant's own personal data.
- Originate from consumers or businesses from one of the EU Member States, UK, Gibraltar or Switzerland.

# Processing Complaints Under ANA DPF Dispute Resolution

Staff resolution usually occurring within 2 business days. Maximum of 20 days for company resolution. To access previous reports, contact ANA at [dpf@ana.net](mailto:dpf@ana.net).



Participating company must sign a contract to agree to abide by the decisions of the ANA DPF Dispute Resolution



Complainant first contacts the participating ANA company with a qualified DPF complaint regarding European, UK, or Swiss data DPF privacy concern

Contact information can be found in company's privacy policy

Organization must respond to complaint within 45 days

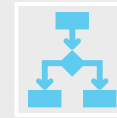


If complainant is not satisfied with the company's handling of the complaint, then the complainant contacts ANA for mediation via complaint forms and dedicated email.

[dpf@ana.net](mailto:dpf@ana.net)  
[ANA DPF Dispute Resolution — Consumers Services](#)



Staff seeks resolution with the company.



Escalation: referred to the ANA Ethics Review Committee.



The Committee hears both sides of a dispute and provides final determination.



Committee takes steps to finalize resolution including:

Correction/deletion of inaccurate information, correction of actions found out of compliance, publicity, and/or referral to FTC/DOC

# ANA Received 11 Complaints

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## Under DPF Process

- ▶ \*One complaint qualifies as a DPF-related inquiry:
  1. Involved an ANA DPF participating company (Adobe) and a French consumer seeking to delete pictures and close account. Adobe responded within 20 days confirming cancellation of his account
- ▶ There were four additional Adobe inquiries that staff responded to or forwarded to Adobe for handling:
  1. A UK consumer with customer service payment issue
  2. A German consumer with a tech support/customer service issue not DPF-related
  3. A Canadian consumer seeking marketing removal
  4. A consumer seeking to cancel their subscription, but the origin of the complaint was unclear
- ▶ The remaining six complaints involved U.S. consumers and did not qualify as DPF-related inquiries.

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# Additional Avenues for Resolving Consumer Complaints

## CONTACT DATA PROTECTION AUTHORITY

- Complaints can be submitted directly to:
  - ▶ [EU National Data Protection Authorities \(DPAs\)](#)
  - ▶ [UK Information Commissioner's Office \(ICO\)](#)
  - ▶ [Swiss Federal Data Protection and Information Commissioner](#)
- EU/EEA DPA, UK ICO, or the Swiss Commissioner may refer the complaints directly to the U.S. Department of Commerce for handling.
- The U.S. Department of Commerce's DPF Team will work with the organization and complainant to seek to resolve the concern.

## INVOKE BINDING ARBITRATION

- If the complaint is not resolved after following the steps above, the complainant may invoke [binding arbitration](#).

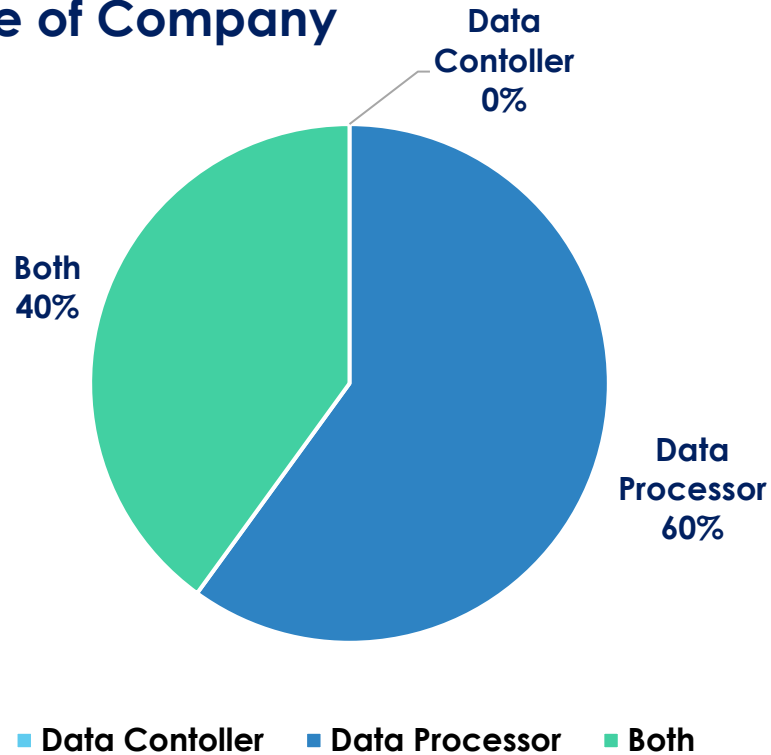
## CONTACT APPROPRIATE U.S. ENFORCEMENT AUTHORITY

- In most instances, the relevant U.S. enforcement authority is the [Federal Trade Commission \(FTC\)](#). To submit a complaint to the FTC, click [here](#). The FTC uses complaints in its database, accessible by other law enforcement agencies, to identify trends, determine priorities, and identify potential investigative targets. Please note that the FTC does not resolve or mediate individual complaints, so complainants are encouraged to use the other complaint resolution mechanisms noted above as well.

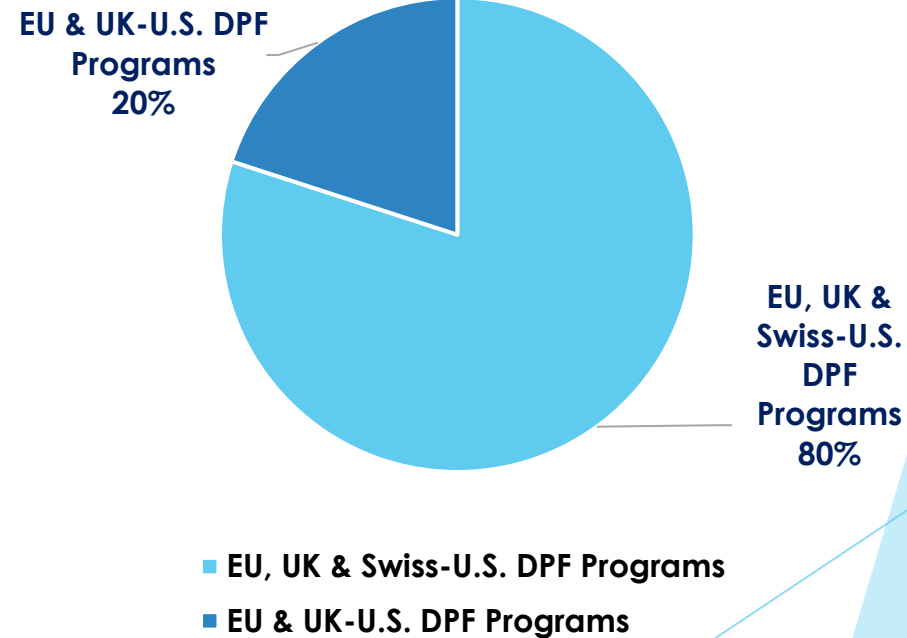
# The ANA DPF Dispute Resolution Participant Survey Results\*

*\*ANA polled its DPF participating companies in July 2025, the following slides are self-reported results from those that responded:*

## Role of Company



## DPF Program(s) Selected

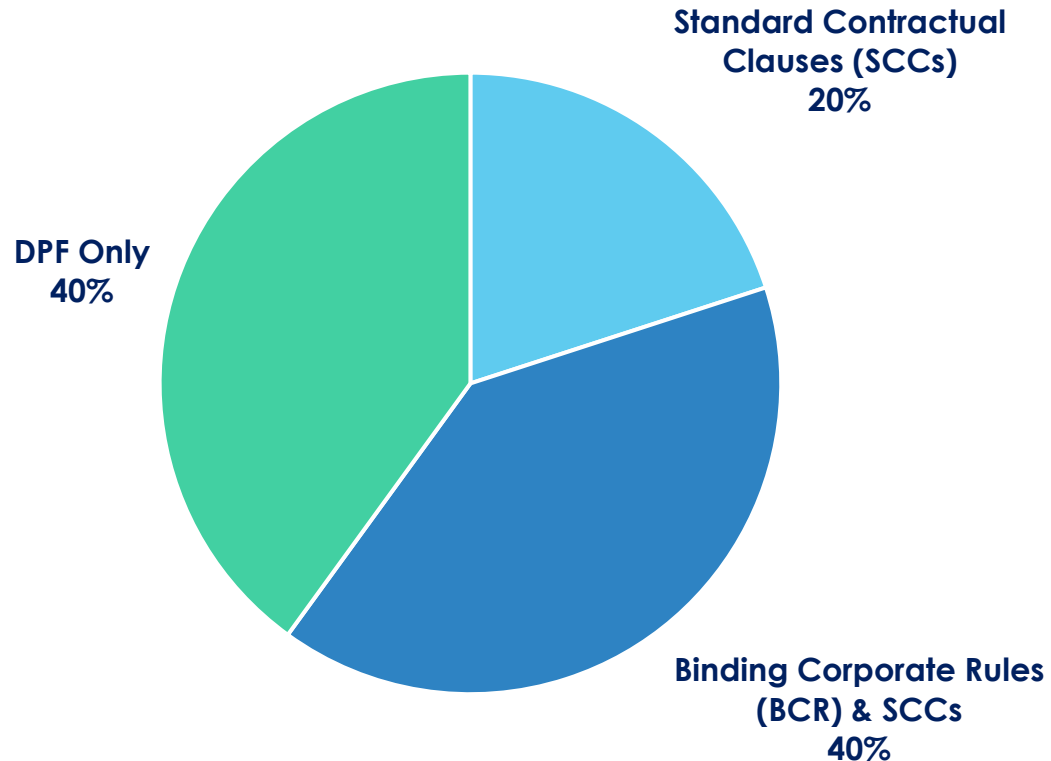


- 40% are both data processors and controllers of information
- 60% serve as data processors
- 80% participate in all three frameworks: EU, UK Extension and Swiss-U.S. DPFs
- 20% participate in two frameworks: EU and UK-U.S. DPFs

# The ANA DPF Dispute Resolution Participant Survey Results\*

- 40% used only DPF
- 40% used DPF, BCR & SCCs
- 20% used DPF and SCCs

## Selected Mechanism(s) for Data Transfers



■ Standard Contractual Clauses (SCCs) ■ Binding Corporate Rules (BCR) & SCCs ■ DPF Only



## Questions? More information:

- ▶ ANA DPF Dispute Resolution: [dpf@ana.net](mailto:dpf@ana.net)
- ▶ Senior Vice President, ANA Center for Ethical Marketing  
[Xenia “Senny” Boone, Esq.](#)
- ▶ ANA DPF Dispute Resolution Administrator:  
[Lisa Brown Shosteck](#)
- ▶ [Online Resources for Businesses](#)
- ▶ [Online Resources for Consumers](#)

