

HOW HEISE PARTNERED WITH SOURCEPOINT TO DELIVER FLEXIBLE ‘CONSENT OR PAY’

heise medien

About heise medien

heise medien owns a portfolio of well-known tech publishing brands, including **Technology Review**, **Telepolis**, and computer titles **c't** and **iX**. Its flagship brand, **heise online**, is the leading IT news site in German-speaking countries and sees upwards of 30 million visits a month.



We trust Sourcepoint to help us reach our goals

Partnering with Sourcepoint, we were able to adapt our Consent or Pay model to meet strict requirements set by our local data protection authority while continuing to execute on our various monetization strategies.

Sourcepoint delivered on a tight timeline, and has proven to be an extremely competent, collaborative partner that we can always trust to help us reach our goals.



Dominique Kuhn

Head of Product
Management

 heise medien

The origins of Consent or Pay

With tightening regulations and stricter requirements from local DPAs, publishers across Europe have been pushed to consider innovative ways to maintain revenue streams while still respecting user privacy rights.

Austrian publisher **Der Standard** and German publisher **DER SPIEGEL** were among the first to experiment with Consent or Pay messages, both partnering with Sourcepoint to do so. DER SPIEGEL launched their **PUR-Abo** plan in 2020—PUR, referring to a “pure” reading experience free of tracking for personalized ads, and Abo for “abonnement,” which means subscription in German.

German publishers already working with Sourcepoint quickly moved to adopt the same model. Today, the country’s largest names offer their readers ad-free subscription plans.

What is Consent or Pay?

In lieu of a traditional GDPR consent message, publishers present a choice between consenting to data processing in order to access content for free, or paying for a subscription.

Evolving to meet local requirements

heise medien had been using the Consent or Pay model on their websites for many years, when in 2022, they received directives from their governing DPA in Lower Saxony to reconfigure their set up in order to provide users more granular control.

Based on requirements outlined by heise, Sourcepoint developed and iterated on a more flexible version of Consent or Pay that asks users to make choices on each specific data processing purpose in order to consent rather than subscribe.

Select purposes, especially those crucial for monetization, can also be demarcated as required for consent.

heise’s updated Consent or Pay model was approved by the Lower Saxony DPA and subsequently served to inform guidance on the admissibility of the Consent or Pay model in Germany as a whole.

How users make granular consent choices

The screenshot shows the 'Einstellungen' (Settings) page. At the top, there is a '← Zurück' (Back) button. Below it, there is a paragraph of text explaining the use of cookies and tracking. A warning icon and text state: 'Wir bieten Ihnen die Möglichkeit, einzelne Datenverarbeitungen abzulehnen. Wenn Sie zu allen Verarbeitungszwecken eine Auswahl getroffen haben, können Sie diese speichern. Beachten Sie dabei, dass bei Nutzung ohne Pur-Abo stets eine Zustimmung in personalisierte Werbung erforderlich ist.' Below this, there is a section titled 'Bitte treffen Sie für folgende Datenverarbeitungen eine Auswahl:' with several categories and their respective 'Zustimmen' (Consent) and 'Ablehnen' (Deny) buttons. The 'Zustimmen' button for the first category is disabled (greyed out). At the bottom, there are two buttons: 'Ausgewähltem zustimmen' (Consent to selected) and 'Pur-Abo abschließen' (Complete Pur-Abo), both of which are disabled (greyed out). A '← Zurück' (Back) button is at the very bottom.

Before user has made selections, button to save settings is not actionable

The screenshot shows the 'Einstellungen' (Settings) page after user selections. The 'Zustimmen' (Consent) button for the first category is now active (green). The 'Ausgewähltem zustimmen' (Consent to selected) and 'Pur-Abo abschließen' (Complete Pur-Abo) buttons are also active (blue). The '← Zurück' (Back) button remains at the bottom.

User is able to save settings after making selections. The first purpose related to personalized ads is marked "consent required for free use."

Admissibility of the Consent or Pay model

In March 2023, Germany's Datenschutzkonferenz (DSK), an association of all of the country's data protection authorities, published guidance on the admissibility of the Consent or Pay model emphasizing the following criteria:

1. **Equivalent alternative:** The subscription must represent an equivalent alternative to the service that users obtain by giving consent to tracking and advertising.
2. **Valid consent:** Consent must be freely given, specific, informed and unambiguous, and as defined in the GDPR.
3. **Granular consent:** Users must be able to select and deselect different purposes of data processing on a granular basis.

This guidance made clear that for German DPAs, "granular opt-in of purposes is required for consent to be considered effective."

The new model that heise developed with Sourcepoint, which requires granular user choice, thus became the definitive model for compliant use of Consent or Pay in Germany.

Growing adoption across Europe

Germany is not the only country that has legitimized the Consent or Pay model. The Danish DPA issued guidance in 2023 that allowed the model under certain conditions. And in 2022, the French DPA advised that Consent or Pay offerings would be evaluated on a case-by-case basis, and emphasized that the paid options should be fairly priced.

Adoption of Consent or Pay is also growing in other parts of Europe, with cookie guidelines in UK, Spain, and Belgium now requiring the option to Reject All data processing to be as prominent as Accept All.

Though these DPAs have yet to comment on the validity of the model, publishers are already looking to get ahead of the curve, following the examples of their peers.

About Sourcepoint

Sourcepoint is the practical privacy software company trusted by the world's most influential brands. Supporting over 30 billion consumer touchpoints per month, Sourcepoint offers enterprise-grade privacy automation for complex, dynamic compliance challenges. Sourcepoint has offices in New York, Berlin, and London. Learn more at sourcepoint.com

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