



## Wickr Transparency Report

By Jennifer DeTrani, Wickr General Counsel  
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### Our Philosophy:

We believe in cryptography for the masses by default. We believe in zero-knowledge systems. We believe that all data or communications should have an expiration date, and we are committed to providing these free tools to our users.

This year we received a near all-star rating from the Electronic Frontier Foundation for our demonstrated commitment to protecting users' data from government requests. We stood alongside industry leaders and collected stars for requiring a warrant for content, telling our users about government data requests, publishing transparency reports and law enforcement guidelines, and fighting for our users' rights in Congress.<sup>1</sup> Had we fought for our users' rights in court, we would have received a perfect score, but we have not yet had standing to do so.

At the beginning of this year, Wickr's CEO Nico Sell spoke publicly about saying no to an FBI backdoor which is why we are happy to see other companies fighting back against the government's overreaching behavior.<sup>2</sup> Our belief is that while all governments must protect their citizens, we as citizens and as companies, must stand up for one of the pillars of freedom – privacy.

Towards that end, we placed the first warrant canary into a transparency report last summer, after the revelations by Edward Snowden, and are constantly looking for ways to innovate and protect our users, with other companies like Apple and Lookout following suit.

To further innovate, we have added a red canary to our website under the Ownership and Transparency section.<sup>3</sup> If the canary flies the coop, the tone of this report will change as well because things will have shifted. But we are optimistic that our canary will remain, given the unique nature of our technology and the fact that we are a zero-knowledge system.

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<sup>1</sup> <https://www.eff.org/who-has-your-back-2014>.

<sup>2</sup> <http://venturebeat.com/2014/01/10/nico-sell-ama/>

<sup>3</sup> <https://wickr.com/#ownership-transparency>.



## The Numbers:

Wickr is committed to sharing the number and types of requests for user information that we receive from law enforcement and how we handle them.

### Government Requests (informal and formal):

Country	Reporting Period	Gov't Requests	Accounts Associated
Non-United States <sup>4</sup>	April 1, 2014 to October 1, 2014	0	0

Request Type (United States)	Reporting Period	Gov't Requests	Accounts Associated
Search Warrants <sup>5</sup>	April 1, 2014 to October 1, 2014	0	0
Court Orders <sup>6</sup>	April 1, 2014 to October 1, 2014	1	3
Subpoenas <sup>7</sup>	April 1, 2014 to October 1, 2014	1	3
National Security Requests <sup>8</sup>	April 1, 2014 to October 1, 2014	0-249	0-249

<sup>4</sup> **Non-US requests:** We require non-US governments to follow the Mutual Legal Assistance Treaty process or letters rogatory process so that a US court will issue the required US legal process.

<sup>5</sup> **Search Warrant:** Search warrants require judicial review, a showing of probable cause, and must meet specificity requirements regarding the place to be searched and the items to be seized. Search warrants may be issued by local, state or federal governments, and may only be used in criminal cases.

<sup>6</sup> **Court orders:** Court orders are issued by judges and may take a variety of forms, such as a 2703(d) order under the Electronic Communications Privacy Act, in both civil and criminal cases. Court orders may include gag orders requiring us to keep private a request for users' account information.

<sup>7</sup> **Subpoenas:** Subpoenas include any legal process from law enforcement where there is no legal requirement that a judge or magistrate review the legal process. Local, state and federal government authorities may use subpoenas in both criminal and civil cases and subpoenas are typically issued by government attorneys or grand juries. As set forth in our law enforcement guidelines, we will respond to validly-issued subpoenas but will notify our users of the request(s) for information regarding their accounts unless bound by a court order not to do so.

<sup>8</sup> **National Security Requests:** National Security requests include National Security Letters and order issued under the Foreign Intelligence Surveillance Act.



**Action to Date:**

*As of the date of this report, Wickr has not been required by a FISA request to keep any secrets that are not in this transparency report as part of a national security order. Our ability to make such a statement is proof positive that Wickr is a safe mode of communication. Should this language disappear, that will no longer be the case.*

**Prediction of the Future:**

We believe that this is a very important time in the digital age – privacy and surveillance are at center stage, both positioning themselves as the prima ballerina in a production that, in fact, involves many.

We hope to see more users adopting our platform to communicate safely with their peers – whether on the riot line in Hong Kong, on the trading floor at Wall Street, or at the Oslo Freedom Forum.