

**UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Jon Leibowitz, Chairman**
 J. Thomas Rosch
 Edith Ramirez
 Julie Brill
 Maureen K. Ohlhausen

File No. P125404

ORDER TO FILE SPECIAL REPORT

Pursuant to a resolution of the Federal Trade Commission (“FTC” or “the Commission”) dated December 14, 2012, titled “Resolution Directing Use of Compulsory Process to Collect Information Regarding Data Brokers,” a copy of which is enclosed, **[COMPANY NAME]**, hereinafter referred to as the “Company,” is ordered to file with the Commission, no later than

Specifications

Please provide the following information, documents and items, consistent with the definitions, instructions, and formatting requirements contained in Attachment A:

1. **Identification of Report Author:** Identify by full name, business address, telephone number, and official capacity the person(s) who has prepared or supervised the preparation of the Company's response to this Order and describe in detail the steps taken by the Company to respond to this Order. For instructions pertaining to document (written and electronic) and information preservation, identify the person who gave the instructions, describe the content of any oral instructions, provide copies of any written or electronic instructions, and identify the person(s) to whom the instructions were given. For each specification, identify the individual(s) who assisted in preparation of the response. Provide a list of the persons (identified by name and corporate title or job description) whose files were searched and identify the person who conducted the search.

2. **Company Information:**
 - A. State the Company's complete legal name and all other names under which it has done business, its corporate mailing address, all addresses from which it does or has done business, and the dates and states of its incorporation.

 - B. Describe the Company's corporate structure, and state the names of all parents, subsidiaries (whether wholly or partially owned), divisions (whether incorporated or not), affiliates, branches, joint ventures, franchises, operaries (whether wholly or parr wholly or par

- (1) the source(s) of each such type of personal data, including whether the source is a government agency or office;
- (2) the procedures or means by which each such type of personal data is collected, generated, or derived, including, but not limited to, cookies, a user's direct textual input, a user's behavior on the Company's website, a user's behavior on other websites, social media, a user's mobile use and activity, or other online or offline sources;
- (3) for each such type of personal data, whether the Company acquires the consent, permission, or approval of consumers before obtaining, collecting, generating, deriving, disseminating, storing, or causing to be stored the personal data of said consumers. As part of your response, describe in detail how the Company obtains the consent, permission, or approval of said consumers;
- (4) the frequency with which each such type of personal data is updated;
- (5) the extent to which and reasons why the availability of each such type of personal data differs depending upon the purchaser;
- (6) whether the Company provides each such type of personal data to users in the form in which it is acquired or whether the Company changes the form or content of such type of personal data in any way, and for the latter describe each and every way in which the Company changes the form or content of each such type of personal data and the methodology employed to effect such change;
- (7) whether each such type of personal data is aggregated, anonymized, or de-identified and describe the process used to do so;
- (8) whether each such type of personal data includes information from or about children or teenagers. As part of your response, describe in detail whether the Company distinguishes personal data about children ages 12 and under from personal data about teenagers ages 13 through 17 and how the collection and provision of this data differs.

- B. State whether the Company monitors, audits, or evaluates the accuracy of personal data contained in each product or service identified in response to 3.A. If it does, provide a step-by-step explanation of how the Company monitors, audits, or evaluates the accuracy of such personal data, and describe the results from the Company's audits, evaluations, and monitoring efforts, including the accuracy rates for the personal data contained in each product or service. As part of your response, describe in detail:
- (1) the Company's policies, practices, and procedures relating to the monitoring, auditing, or evaluation of the accuracy of personal data contained in each product or service;
 - (2) the Company's search and retrieval logic for matching its records with particular consumers; and
 - (3) the Company's matching logic (i.e., evaluations regarding the effectiveness of the information submitted by clients and/or used by the Company about consumers in retrieving results related to the correct consumer);
- C. For each product or service identified in response to 3.A., indicate (1) the number of such products or services sold annually, and (2) the Company's annual gross revenues attributable to each such product or service.

4. **Other Collection of Data:**

- A. Identify each type of personal data the Company has obtained, collected, generated, derived, disseminated, stored, or caused to be stored that is not currently used in or by a product or service identified in your response to 3.A., and describe with specificity:
- (1) the reason(s) why each such type of personal data is not currently used in or by a product or service and any plans for future use;
 - (2) for each such type of personal data that was previously used in a product or service, identify (i) the name of the product(s) or service(s) that used the personal data, (ii) the number of such products or services sold annually, (iii) the Company's annual gross revenues attributable to each such product or service, (iv) the types of customers (e.g., individual consumers, retailers, ad networks, etc.) to which the Company provided each product or service, (v) the percentage of the product's or service's revenue contributed by each type of customer, and (vi) the names and contact information of the product's or service's 25 largest

customers (25 entities who purchased the greatest unit and dollar amounts of each product or service) for each type of customer except individual consumers;

- (3) the source of each such type of personal data, including whether the source is a government agency or office;
- (4) the procedures or means by which each such type of personal data is or was collected, generated, or derived, including, but not limited to, cookies, a user's direct textual input, a user's behavior on the Company's website, a user's behavior on other websites, social media, a user's mobile use and activity, or other online or offline sources;
- (5) for each such type of personal data, whether the Company acquires or acquired the consent, permission, or approval of consumers before obtaining, collecting, generating, deriving, disseminating, storing, or causing to be stored the data of said consumers. As part of your response, describe in detail how the Company obtains the consent, permission, or approval of said consumers;
- (6) the frequency in which each such type of personal data is or was updated;
- (7) the extent to which and reasons why the availability of each such type of personal data differs or differed depending upon the purchaser;
- (8) each specific purpose or manner in which the Company anticipates or anticipated that each such type of personal data would or could be used by its users or customers and any limitations the Company places or placed on the use of each such type of personal data;
- (9) whether the Company provides or provided each such type of personal data to users in the form in which it is acquired or whether the Company changes or changed the form or content of such type of personal data in any way, and for the latter describe each and every way in which the Company changes or changed the form or content of each such type of personal data and the methodology employed to effect such change;

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(11) whether each such type of personal data includes or included information from or about children or teenagers. As part of your response, describe in detail whether the Company distinguishes or distinguished personal data about children ages 12 and under from personal data about teenagers ages 13 through 17 and how the collection and provision of this data differs or differed.

B. State whether the Company monitors, audits, or evaluates the accuracy of personal data contained in each product or service identified in response to 4.A., either presently or previously. If it does, provide a step-by-step explanation of how the Company monitors, audits, or evaluates the accuracy of such personal data, and describe the results from the Company's audits, evaluations, and monitoring efforts, including the accuracy rates for the personal data contained in each product or service. As part of your response, describe in detail:

- (1) the Company's policies, practices, and procedures relating to the monitoring, auditing, or evaluation of the accuracy of personal data contained in each product or service;
- (2) the Company's search and retrieval logic for matching its records with particular consumers; and
- (3) the Company's matching logic (i.e., evaluations regarding the effectiveness of the information submitted by clients and/or used by the Company about consumers in retrieving results related to the correct consumer);

5. Customers:

A. For each product or service identified in your response to 3.A., identify the types of customers (e.g., individual consumers, retailers, ad networks, etc.) to which the Company provides each product or service, the percentage of the product's or service's revenue contributed by each type of customer, and the names and contact information of the product's or service's 25 largest customers (25 entities who purchased the greatest unit and dollar amounts of each product or service) for each type of customer except individual consumers. As part of your response, describe in detail:

- (1) the method(s) by which the Company provides each product or service;
- (2) the fees associated with each product or service;
- (3) a step-by-step explanation of how the Company's customers access

the Company's products and services and the flow of personal data from the initial request made to the Company to the furnishing of personal data to the customer;

- (4) all of the purposes, and how the Company determines the purposes, for wh78.D())Tj26.040a0TD(;TjET1.0h

6. **Consumers:**

- A. State whether consumers are able to access personal data about them that is held by the Company. If consumers are not able to access their personal data, state the Company's rationale for not providing such access. If consumers are able to access their personal data, describe in detail how consumers access this personal data, including but not limited to:
- (1) a step-by-step explanation of how consumers access such personal data;
 - (2) the types of personal data that consumers can and cannot access;
 - (3) the terms and conditions for accessing personal data, including any limitations on the frequency of access;
 - (4) how the Company notifies consumers of their right to access this personal data and the contents of the notice;
 - (5) the types of personal information consumers are required to provide to verify their identities prior to accessing their personal data, and how the Company utilizes this verification information;
 - (6) the number of consumers that have requested access to their personal data on an annual basis and the Company's response by category (i.e., number of consumers provided access, number of consumers denied access, reasons for denial, etc.);
 - (7) the date on which the Company first began to give consumers access to personal data; and
 - (8) the average and maximum length of time before an access request is implemented, and the factors that determine the length of time before access is provided.
- B. State whether consumers are able to correct personal data that is held by the Company. If consumers are not able to correct their personal data, state the Company's rationale for not allowing such corrections. If consumers are able to correct their personal data, describe in detail how consumers correct their personal data, including but not limited to:
- (1) a step-by-step explanation of how consumers correct such personal data;
 - (2) the types of personal data that consumers can and cannot correct;

- (3) the terms and conditions for correcting personal data, including the Company's efforts to prevent the reappearance of inaccurate data;
 - (4) how the Company notifies consumers of their right to correct this personal data and the contents of the notice;
 - (5) the types of personal information consumers are required to provide to verify their identities before correcting their personal data, and how the Company utilizes this verification information;
 - (6) the number of consumers that have requested a correction to their personal data on an annual basis and the Company's response by category (i.e., number of corrections, number not corrected, reasons for not correcting, etc.);
 - (7) the date on which the Company first began to give consumers the ability to correct their personal data; and
 - (8) the average and maximum length of time before a correction request is implemented, and the factors that determine the length of time before the correction takes effect.
- C. State whether consumers are able to opt out of the collection, use, or sharing of their personal data. If consumers are not able to opt out, state the Company's rationale for not allowing consumers to opt out. If consumers are able to opt out, describe in detail the Company's opt out procedures, including but not limited to:
- (1) a step-by-step explanation of how consumers opt out;
 - (2) the specific products, services, or search results to which the opt out applies and does not apply;
 - (3) the terms and conditions for opting out;
 - (4) the technologies utilized to effectuate the opt out;
 - (5) how the Company notifies consumers of their right to opt out and the contents of the notice;
 - (6) the types of personal information consumers are required to provide to verify their identities before opting out, and how the Company utilizes this verification information;

- (7) the number of consumers that have requested to opt out on an annual basis and the Company's response by category (i.e., number of opt outs provided, number of opt outs denied, reasons for denial, etc.);
- (8) the date on which the Company first began to give consumers the ability to opt out; and
- (9) the average and maximum length of time before an opt out request is implemented, the factors that determine the length of time before the opt out takes effect, and the period of time the opt out remains in effect.

D. State whether consumers are able to have the Company delete their personal data from the Company's database(s). If consumers are not able to delete their personal data, state the Company's rationale for not allowing such deletions. If consumers are able to delete their personal data, describe in detail how consumers delete their personal data, including but not limited to:

- (1) a step-by-step explanation of how consumers delete such personal data;
- (2) the types of personal data that consumers can and cannot delete;
- (3) the terms and conditions for deleting personal data, including the Company's efforts to prevent reinsertion of the data;
- (4) how the Company notifies consumers of their right to delete this personal data and the contents of the notice;
- (5) the types of personal information consumers are required to provide to verify their identities before deleting their personal data, and how the Company utilizes this verification information;
- (6) the number of consumers that have requested to delete their personal data on an annual basis and the Company's response by category (i.e., number of deletions provided, number of deletions denied, reasons for denial, etc.);
- (7) the date on which the Company first began to give consumers the ability to delete their personal data.

- E. State whether the Company charges consumers a fee for accessing, correcting, opting out, or deleting their personal data from the Company's database(s). As part of your response, describe in detail:
 - (1) the amount the Company charges consumers to access, correct, delete, or opt out; and
 - (2) the total revenue earned annually by the Company through such fees.
- F. In your responses to 6.A-E., describe each and every way in which the Company's procedures relating to children and teenagers is different from the Company's procedures relating to adults.

7. Policies:

- A. State the methods by which the Company provides notice to consumers about the Company's personal data collection, use, or sharing practices. Provide representative samples of any notices or disclosures provided to consumers in connection with the products and services identified in response to 3.A.
- B. State whether the Company has (or had) any written policies or statements regarding the collection, disclosure, and use of personal data, including any policies and statements relating to the privacy or security of such data. Provide a copy of each such policy or statement, indicating for each the date on which it became effective and, if applicable, all means by which it was distributed or made available. If the policies changed at any time, please so state and describe the nature of the change and its effective time period.
- C. Identify the names and titles of the individuals at the Company who are responsible for developing and implementing any policies described in your responses to each specification.

8. Promotional Materials and Advertisements:

- A. Provide representative samples of each type of advertisement or promotional material the Company has disseminated referring or relating to the products and services identified in response to 3.A. or the personal data identified in response to 4.A., including but not limited to websites, emails, advertisements, and brochures. For each advertisement or promotional material provided, state the beginning and ending dates of dissemination, and the dates, times, and locations the ads were disseminated. For print ads and press releases, identify every publication, date, and community for dissemination; for Internet ads, identify every URL, date, and number of

hits or visits; for all other materials, provide sufficient information to permit a determination of how many items were disseminated, and when, where, and to whom such items were disseminated.

- B. For each product or service identified in response to 3.A. and each item of personal data identified in response to 4.A., identify any keywords, terms, phrases, or other identifying information.

¹An electronic version of the Excel spreadsheets for Attachments B, C, and D are provided on the included CD. The company must use Attachments B, C, and D to report

activities and must not modify, delete, or add to the columns on the spreadsheet. The company must submit the spreadsheets in Excel in a format that is readable and writable and must not

Attachment A

DEFINITIONS & ADDITIONAL INSTRUCTIONS

A. **“Advertisement”** or **“advertising”** or **“ad”** or **“promotional material”** shall mean any written or verbal statement, illustration, or depiction, whether in English or any other language, that is designed to effect a sale or create interest in the purchasing

