

On February 18, 2013, FTC staff hosted a Twitter Chat on mobile privacy including a new FTC staff report and settlement with social networking app, Path. FTC staff attorneys worked with the Office of Public Affairs to answer questions from the @FTC Twitter account. The chat hashtag was #FTCpriv.

Note: These tweets only include responses from the @FTC account and are listed in order for ease of reading. Tweets in their original order and without handles redacted remain publicly available on Twitter.

Hi all Thank f j ining cha a m We ll ha e h ee affa ne f m he Di i i n f Privacy & Identity Protection. #FTCpriv

Ryan Mehm will answer on mobile #privacy report. Nithan Sannappa & Jamie Hine here for Path settlement. #FTCpriv

First time joining an FTC Twitter Chat? Learn how they work: <http://go.usa.gov/4nsA> // Send us your questions now! #FTCpriv

Has everyone had a chance to review the staff report on mobile #privacy disclosures? Any questions? <http://go.usa.gov/4QPw> #FTCpriv

Q1 MT How much reg authority does report have? Does violating guidelines=violating law? #FTCpriv

A1 Report recommendations are best practices, not rules or regs. Recs intended to be flexible for changing technologies. #FTCpriv

Q2 MT Does following the guidelines inoculate you from enforcement actions? #FTCpriv

A2 Report recs deal with best practices for mobile disclosures. Enforcement actions brought on case-

A4 FTC has focused on mobile privacy for well over a decade through policy and enforcement #FTCpriv

Q5 MT [REDACTED] @FTC Report says u encourage standards of disclosure. We developed OS mobile PP. Can we submit to you for comments? #FTCpriv

A5 FTC encourages privacy innovations, but as a matter of policy we do not comment on specific initiatives #FTCpriv

Q6 MT [REDACTED] Case implies material omission grounds 4 deception claim. What other category of info do u require apps disclose? #FTCpriv

A6 Path's priv policy was deceptive. Sec 5 requires biz not misrep data collection practices w/respect 2 any category of info. #FTCpriv

Q7 MT [REDACTED] How will guidelines curtail foreign devs from collecting info? Our clients often infringed on by foreign devs. #FTCpriv

A7 To extent foreign dev operates in US, guidelines could apply. #FTCpriv

Q8 MT [REDACTED] Google/Apple don't offer APIs necessary for privacy apps like app data firewalls. Will FTC address this? #FTCpriv

A8 Report contains several recs for platforms and encourages further dialogue between FTC and platforms on mobile privacy. #FTCpriv

Q9 MT [REDACTED] How should websites & apps notify users of privacy changes? Is there difference btw material/non-material changes? #FTCpriv

A9 FTC's prior reports and cases make clear that material retro changes require affirmative express consent. Same in mobile. #FTCpriv

Thanks all for sending Qs so far about report. Anyone have Qs on the Path settlement? We'll be here for 10 more minutes. #FTCpriv

Q10 MT [REDACTED] would you still have brought a deception case against Path if there were no COPPA violations? #privacy #FTCpriv

A10 Yes, the two deception counts were serious and would stand alone. #FTCpriv

Q11 MT [REDACTED] Why nothing about mobile carrier priv issues in report? Separate report on comprehensive collection? #FTCpriv

A11 See fn4 of report for applicability re: carriers. Future report re: December workshop will cover comprehensive collection. #FTCpriv

Final Q! Q12 MT [REDACTED] @FTC ... says mob apps report chose priv over innovation. How was balance correct? Why DNT necessary? #FTCpriv

A12 Privacy & innovation not mutually exclusive. Report encourages platforms to develop DNT to empower consumer choice. #FTCpriv

Thanks everyone for participating in our Twitter Chat today! #FTCpriv