

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

In the Matter of)	FILE NO. 132 3087
GOLDENSHORES TECHNOLOGIES, LLC,)	AGREEMENT CONTAINING
 a limited liability company, and)	CONSENT ORDER
ERIK M. GEIDL,)	
 individually and as the managing)	
 member of the limited liability)	
 company.)	

The Federal Trade Commission has conducted an investigation of certain acts and practices of Goldenshores Technologies, LLC, a limited liability company, and Erik M. Geidl, individually and as the managing member of the limited liability company (“proposed respondents”). Proposed respondents, having been represented by counsel, are willing to enter into an agreement containing a consent order resolving the allegations contained in the attached draft complaint. Therefore,

IT IS HEREBY AGREED by and between Goldenshores Technologies, LLC, by its duly authorized officer, and Erik M. Geidl, individually and as the managing member of the limited liability company, and counsel for the Federal Trade Commission that:

- 1.a. Proposed respondent Goldenshores Technologies, LLC, is a Delaware limited liability company with its principal office or place of business at 1205 Ponderosa Drive, Moscow, ID 83843.
- 1.b. Proposed respondent Erik M. Geidl is the managing member of the limited liability company. Individually or in concert with others, he formulates, directs, or controls the policies, acts, or practices of the company. His principal office or place of business is the same as that of Goldenshores Technologies, LLC.
2. Proposed respondents admit all the jurisdictional facts set forth in the draft c-t int.
3. Proposed respondents waive:
 - A. Any further procedural steps;
 - B. The requirement that the Commission’s decision contain a statement of findings of fact and conclusions of law; and

C. All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement.

4. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission, it, together with the draft complaint, will be placed on the public record for a period of thirty (30) days and information about it publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify proposed respondents, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision in disposition of the proceeding.

5. Proposed respondents neither admit nor deny any of the allegations in the draft complaint, except as specifically stated in this order. Only for purposes of this action, proposed respondents admit the facts necessary to establish jurisdiction.

6. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of Section 2.34 of the Commission's Rules, the Commission may, without further notice to proposed respondents, (1) issue its complaint corresponding in form and substance with the attached draft complaint and its decision containing the following order in disposition of the proceeding, and (2) make information about it public. When so entered, the order shall have the same force and effect and may be altered, modified, or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery of the complaint and the decision and order to proposed respondents=address as stated in this agreement by any means specified in Section 4.4(a) of the Commission's Rules shall constitute service. Proposed respondents waive any right they may have to any other manner of service. The complaint may be used in construing the terms of the order, and no agreement, understanding, representation, or interpretation not contained in the order or in the agreement may be used to vary or contradict the terms of the order.

7. Proposed respondents have read the draft complaint and consent order. They understand that they may be liable for civil penalties in the amount provided by law and other appropriate relief for each violation of the order after it becomes final.

ORDER

DEFINITIONS

For purposes of this order, the following definitions shall apply:

1. Unless otherwise specified, "respondents" shall mean Goldenshores Technologies, LLC, its successors and assigns; and Erik M. Geidl, individually and as the managing member of the limited liability company.
2. "Affected Consumers" shall mean persons who, prior to the date of issuance of this order,

downloaded and installed the “Brightest Flashlight Free” mobile application on their mobile device.

3. “Clearly and prominently” shall mean:

- A. In textual communications (e.g., printed publications or words displayed on the screen of a mobile device or computer), the required disclosures are of a type, size, and location sufficiently noticeable for an ordinary co

I.

IT IS ORDERED that respondents and their officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the advertising, promotion, offering for sale, sale, or dissemination of any product or service, in or affecting commerce, shall not misrepresent in any manner, expressly or by implication:

- A. The extent to which Covered Information is collected, used, disclosed, or shared; and
- B. The extent to which users may exercise control over the collection, use, disclosure, or sharing of Covered Information collected from or about them, their computers or devices, or their online activities.

II.

IT IS FURTHER ORDERED that respondents and their officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the advertising, promotion, offering for sale, sale, or dissemination of any mobile application that collects, transmits, or allows the transmission of geolocation information, in or affecting commerce, shall not collect, transmit, or allow the transmission of such information unless such application:

- A. Clearly and prominently, immediately prior to the initial collection of or transmission of such information, and on a separate screen from, any final “end user license agreement,” “privacy policy,” “terms of use” page, or similar document, discloses to the consumer the following:
 - 1. That such application collects, transmits, or allows the transmission of, geolocation information;
 - 2. How geolocation information may be used;
 - 3. Why such application is accessing geolocation information; and
 - 4. The identity or specific categories of third parties that receive geolocation information directly or indirectly from such application; and

- B. Obtains affirmative express consent from the (f)3()6(in)]TJ ird user lidp.0.002 Tw [(imm1T5(io)2(r)5(to)2()]T3 Tc 0.02()]T3 Tcc)6(if)5(ic)6()-10(c)-4(a)6(te)-4

within their possession, custody, or control and was collected at any time prior to the date of entry of this Order.

IV.

IT IS FURTHER ORDERED that respondent

Provided, further that if such complaint is dismissed or a federal court rules that the respondent did not violate any provision of the order, and the dismissal or ruling is either not appealed or upheld on appeal, then the order will terminate according to this Part as though the complaint had never been filed, except that the order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

GOLDENSHORES TECHNOLOGIES, LLC,

Date: _____

By: _____
ERIK M. GEIDL
Member

Date: _____

ERIK M. GEIDL, individually
and as a member of said company

Date: _____

SAMUEL T. CREASON, ESQ.
Creason, Moore, Dokken & Geidl PLLC
Attorney for Respondents

Date: _____

KERRY O'BRIEN
SARAH SCHROEDER
Counsel for the Federal Trade Commission

APPROVED:

THOMAS N. DAHDOUH
Director
Western Region

