

European Union (“EU”) requirements for privacy and the protection of personal data. Among other things, it requires EU Member States to implement legislation that prohibits the

Violations of Section 5 of the FTC Act

10. In February 2009, respondent submitted to Commerce a self-certification of compliance with the Safe Harbor.
11. In February 2010, respondent did not renew its self-certification to the Safe Harbor, and Commerce subsequently updated respondent's status to "not current" on its public website.
12. From at least February 2009 until November 2013, respondent disseminated or caused to be disseminated privacy policies and statements on the www.rmsna.com website, including, but not limited to, the following statements:

RMS is registered with the U.S. Department of Commerce's Safe Harbor program, and adheres to the U.S. Safe Harbor principles of Notice, Choice, Onward Transfer, Security, Data Integrity, Access, and Enforcement as defined by the agency...
13. From at least February 2009 until November 2013, respondent displayed the mark on the www.rmsna.com website.
14. Through the means described in Paragraphs 12 and 13, respondent represented, expressly or by implication, that it was a "current" participant in the U.S.-EU Safe Harbor Framework.
15. In truth and in fact, from February 2010 until November 2013, respondent was not a "current" participant in the U.S.-EU Safe Harbor Framework. Therefore, the representations set forth in Paragraph 14 are false and misleading.
16. The acts and practices of respondent as alleged in this complaint constitute deceptive acts or practices, in or affecting commerce, in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this __ day of ____ 2014, has issued this complaint against respondent.

By the Commission.

Donald S. Clark
Secretary

SEAL
ISSUED: