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<sup>1</sup> See Letter from David C. Vladeck, Director, Bureau of Consumer Protection, Federal Trade Commission to Jane Horvath, Global Privacy Counsel, Google Inc. (Sept. 2, 2009), available at <http://www.ftc.gov/os/closings/090903horvathletter.pdf>.

<sup>2</sup> At that time, Google represented that it did not engage in behavioral advertising with respect to Google Books, but would adhere to the FTC's self-regulatory guidelines if Google decided to do so in the future. See Letter from Jane Horvath, Global Privacy Counsel, Google Inc., to David C. Vladeck, Director, Bureau of Consumer Protection, Federal Trade Commission (Aug. 31, 2009), available at <http://www.ftc.gov/os/closings/090903bcpgoogleletter.pdf>.

information gleaned about their reading habits, g

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persistent identifier, such as IP address; (e) telephone number, including home telephone number and mobile telephone number; (f) list of contacts; (g) physical location; or any other information from or about an individual consumer that is combined with (a) through (g) above.”