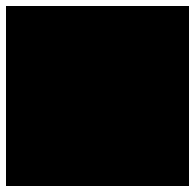


UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580



Office of the Secretary

October 13, 2011

Ms. Patricia Tumulty  
New Jersey Library Association  
State of New Jersey

Re: *In the Matter of Google Inc., File No. 1023136, Docket No. C-4336*

Dear Ms. Tumulty:

Thank you for your comment on the Federal Trade Commission's consent agreement in the above-entitled proceeding. The Commission has placed your comment on the public record pursuant to rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment calls for specific protections to ensure reader privacy in connection with the Google Books project. Commission staff raised similar concerns about reader privacy in a 2009 public letter to Google Inc. ("Google"). In that letter, Commission staff raised concerns about Google "gaining access to vast amounts of consumer data regarding the books consumers search for, purchase, and read" in connection with its Google Books project.<sup>1</sup> Commission staff further called upon Google to commit publicly to adhering to the FTC's self-regulatory principles for online behavioral advertising, to the extent that Google planned to use consumer data collected through Google Books to deliver targeted advertising.<sup>2</sup>

The proposed order requires Google to implement reasonable and appropriate procedures to protect the privacy and confidentiality of consumers' "covered information,"<sup>3</sup> including any

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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>.

<sup>3</sup> "Covered Information" is defined in the order as "information respondent [Google] collects from or about an individual, including, but not limited to, an individual's: (a) first and last name; (b) home or other physical address, including street name and city or town; (c) email address or other online contact information, such as a user identifier or screen name; (d)

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.”