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March 25, 2014

Mr. Nicholas DeCarlo

~~Re: Apple~~ 123108

Dear Mr. DeCarlo:

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.

In your comment, you express concerns about children making unauthorized purchases on Apple devices. The proposed complaint and order here should help to address your concern. The proposed complaint alleges that Apple failed to obtain account holders' informed consent for in-app charges incurred by children. Under the proposed order, Apple must alter its business practices going forward to obtain express, informed consent to in-app charges before billing for such charges. The proposed order also will require Apple to provide full refunds to account holders who have been billed by Apple for unauthorized in-app charges incurred by minors. If Apple's payments total less than \$32.5 million, it would remit the difference to the FTC. To effectuate refunds, Apple must send an electronic notice to its consumers by April 15, 2014 that clearly and conspicuously discloses the availability of refunds and instructions on how to obtain such refunds. If you do not receive a notice from Apple by that date, please contact the FTC's Consumer Response Center at (877) 382-4357, or file a complaint online at [www.ftccomplaintassistant.gov](http://www.ftccomplaintassistant.gov).

and Order and other relevant materials are available on the Commission's website at <http://www.ftc.gov/enforcement/cases-proceedings/112-3108/apple-inc>. It helps the Commission's analysis to hear from a variety of sources in its work. The Commission thanks you again for your comment.

By direction of the Commission, Commissioner Wright dissenting.