



UNITED STATES OF AMERICA  
Federal Trade Commission

Office of the Secretary  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

March 31, 2014

David Alford  
Commonwealth of Virginia

, and Mr. Geidl (“respondents”). 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 recommends that respondents be criminally prosecuted for the same conduct.

The Commission is committed to safeguarding consumer privacy and believes the proposed order will accomplish this objective. In particular, Part I of the proposed order prohibits respondents from misrepresenting the extent to which its mobile applications collect, use, disclose, or share information. Part II of the proposed order requires respondents to exercise control over the collection, use, disclosure, or sharing of information from or about them. Part III of the proposed order requires respondents to (1) disclose to consumers the things that they collect or share geolocation information prior to the collection of such information, and (2) obtain consumers’ affirmative express consent to the collection of such information. Part III of the proposed order requires the deletion of information already collected from consumers through the Brightest

After careful consideration, the Commission has determined that the public interest is best served by issuing the Decision and Order in final form without any modifications. The Decision and Order and other relevant materials are available from the Commission’s website. We thank you again for your comment.

For the Commission.

Donald S. Clark  
Secretary