

participation in the U.S.-EU Safe Harbor Framework.

The Commission's complaint alleges that DDC, through its statement, falsely represented that it was a "current" participant in the Safe Harbor when, in fact, from November 2011 until November 2013, DDC was not a "current" participant in the Safe Harbor. The Commission's complaint alleges that in November 2007, DDC submitted a Safe Harbor self-certification. DDC subsequently renewed its self-certification in November 2008, November 2009, and November 2010. DDC did not renew its self-certification in November 2011 and Commerce subsequently updated DDC's status to "not current" on its public Web site. In November 2013, DDC renewed its self-certification to the Safe Harbor and its status was changed to "current" on Commerce's Web site.

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<sup>1</sup> In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c), 16 CFR 4.9(c).

grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at

by following the instructions on the web-based form. If this Notice appears at

you also may file a comment through that Web site.

If you file your comment on paper, write "Baker Tilly Virchow Krause, LLP—Consent Agreement; File No. 142–3019" on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 20, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at

### **Analysis of Proposed Consent Order To Aid Public Comment**

The Federal Trade Commission ("FTC" or "Commission") has accepted, subject to final approval, a consent agreement applicable to Baker Tilly Virchow Krause, LLP ("Baker Tilly").

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

This matter concerns alleged false or misleading representations that Baker Tilly made to consumers concerning its participation in the Safe Harbor privacy framework ("Safe Harbor") agreed upon by the U.S. and the European Union

("EU") ("U.S.-EU Safe Harbor Framework"). It is among several actions the Commission is bringing to enforce the promises that companies