

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright
Terrell McSweeney

In the Matter of)	DOCKET NO. C-4525
TES Franchising, LLC,)	DECISION AND ORDER
a limited liability company.)	
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Consumer Protection proposed to present a charge order issued by the Commission, would charge the respondent under the Commission Act ("FTC Act"), 15 U.S.C. § 563.

The respondent and counsel for the respondent entered into a Consent Agreement Containing Consent Order ("CCO") with the Commission. The respondent stated that it neither admits nor denies the charges as specifically stated in the Consent Agreement. The Commission found the facts necessary to establish jurisdiction; and the respondent violated the Commission's Rules; and

The Commission having thereafter found that the respondent had reason to believe that the respondent violated the Commission's Rules, stating its charges in that respect, and has

1. Respondent TES Franchising, LLC, is a Connecticut limited liability company with its principal office or place of business at 900 Main Street South, Building 2, Southbury, Connecticut 06484.
2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent, and the proceeding is in the public interest.

ORDER

DEFINITIONS

For purposes of this Order, the following definitions shall apply:

1. Unless otherwise specified, "respondent" shall mean TES Franchising, LLC and its successors and assigns.
2. "Commerce" shall mean as defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.

I.

IT IS ORDERED that respondent and its officers, agents, representatives, and employees, whether acting directly or indirectly, in connection with the advertising, marketing, promotion, offering for sale, or sale of any product or service, in or affecting commerce, shall not misrepresent in any manner, expressly or by implication, the extent to which respondent is a member of, adheres to, complies with, is certified by, is endorsed by, or otherwise participates in any privacy or security program sponsored by the government or any other regulatory or standards setting organization, including, but not limited to, the U.S. EU Safe Harbor Framework, the U.S. Swiss Safe Harbor Framework, and the TRUSTe privacy programs.

II.

IT IS FURTHER ORDERED that respondent and its officers, agents, representatives, and employees, whether acting directly or indirectly, in connection with the advertising, marketing, promotion, offering for sale, or sale of any product or service, in or affecting commerce, shall not misrepresent in any manner, expressly or by implication, the respondent's participation in, or the rules, processes, policies, or costs of, any alternative dispute resolution process or service, including, but not limited to, arbitration, mediation, or other independent recourse mechanism.

III.

IT IS FURTHER ORDERED that respondent shall maintain and upon request make

