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UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: **Edith Ramirez, Chairwoman**
Julie Brill
Maureen K. Ohlhausen
Terrell McSweeny

In the Matter of **CARROT NEUROTECHNOLOGY, INC., a corporation,** **ADAM GOLDBERG, individually and as an owner and officer of CARROT NEUROTECHNOLOGY, INC., and** **AARON SEITZ, individually and as an owner and officer of CARROT NEUROTECHNOLOGY, INC.**	**DOCKET NO. C-**

COMPLAINT

The Federal Trade Commission, having reason to believe that Carrot Neurotechnology, Inc., a corporation, and Adam Goldberg and Aaron Seitz, individually and as owners and officers of the corporation (collectively, "Respondents"), have violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Carrot Neurotechnology, Inc. ("Carrot") is a California corporation with its principal office or place of business at 3995 Prado De Las Frutas, Calabasas, California, 91302.

2. Respondent Adam Goldberg is an owner and officer of Carrot. Individually or in concert with others, he controlled, had the authority to control, or participated in the acts and practices of Carrot, including the acts and practices alleged in this complaint. His principal office or place of business is the same as that of Carrot.

3. Respondent Aaron Seitz

4. Respondents have advertised, labeled, offered for sale, sold, and distributed the Ultimeyes software application to consumers. Ultimeyes is for use on mobile devices running the iOS or Android operating systems and computers running the Mac or Windows operating systems. According to its

Featured Links [The website made the following and other representations in the form of hyperlinks to press releases and other media articles, most of which also quoted the individual Respondents.]
• Better baseball batting through brain science
• Apparently, Your Tablet Can Give You Super-Vision
• Better Batters Result from Brain-training Research [. . .]
• Learning to see better in life and baseball [. . .]
• How To Improve Your Eyesight By Exercising The Brain With 'Perceptual Learning'
• Training Gives Baseball Players Superhuman Vision
• Study Reports Brain can be Trained to See Better [. . .]
• Screen time improves eye sight: study [. . .]
• High Tech Training Improves Vision [. . .]
• This App Trains You to See Farther [. . .]
• Using an iPad 'boosts vision': Half an hour a day can improve sight by up to a third [. . .]
• ULTIMEYES, an app that trains your brain and improves vision [. . .]
• The iPad Can Improve Eyesight [. . .]
• This Simple App Can Train Your Brain to Have 20/7.5 Vision [. . .]
• See Like a Big-League Slugger
• University of California Reports Findings That ULTIMEYES® Produces Better Vision and Real World Benefits – Published in Current Biology [. . .]
• UltimEyes iPad App Improves Your Vision by Training Your Brain
• Reverse the effects of aging eyes! ULTIMEYES® [. . .]
• Want To Improve Your Vision? 25 Minutes on this App Will Improve Your

C. Exhibit D, screen excerpt from the Apple App Store (Aug. 12, 2014) (Exhibits E and F, screen excerpts from the Google Play Store (Aug. 14, 2014) and the Amazon Appstore (Aug. 13, 2014), contain similar representations)

**Turn back the clock on your vision
**Lose your reading glasses and delay the need for them
**See better at night
**Read better in dim light
**Improve vision for sports and improved lifestyle

On average ULTIMEYES® clients who completed the ULTIMEYES® program can read two lines better on the Snellen eye chart and experience 100% increase in contrast sensitivity.

Anyone pursuing improved vision through natural means and mitigating the need for visual aids including glasses can benefit from ULTIMEYES®.

D. Exhibit G, excerpts from video transcript, "Brain Training Makes Better Batters," viewable on the Ultimeyes YouTube channel at http://www.youtube.com/watch?v=8M_tVyVlrLQ (published Feb 23, 2014) and on the Amazon Appstore Ultimeyes page (Exhibit F)

AARON SEITZ, ASSOCIATE PROFESSOR, PSYCHOLOGY: There are, you know, over 100 million people worldwide who have serious vision problems that impact their lives. And, so, if we could use brain training to improve their vision, this has profound benefit to their lives. I decided that I wanted to try to create something which would have real-world impact.
[. . .]
JENNI DEVEAU, POSTDOCTORAL RESEARCHER, PSYCHOLOGY: We did a study with the 2013 UCR baseball team where we did vision assessments before their season started and then we conducted training. They came in to our lab. Because they are already started off [sic] with really good vision, we had to really challenge their vision. After the season was over, we had tons of baseball data and searched for the help of Dan Ozer to let us know what does all this mean, what can we do with all this.

DANIEL OZER, PROFESSOR, PSYCHOLOGY: I was able to look at the improvement of the players in terms of more hits, more base on balls, additional bases, and I put that information into a formula that was developed about thirty years ago by a man named Bill James whose methods have become famous in the book Moneyball and was able to see how many runs were created in addition to what you would expect if there had just been normal improvement.

AARON SEITZ: With Dan Ozer, we had discussed that, you know, if they won one extra game based upon this calculation, this would be huge.

DANIEL OZER: And then I placed that into the context of how many runs the UCR pitchers allowed and came up with this estimate of it made a difference of somewhere between four and five games. I was shocked. There has been a lot of interest in the last couple of decades, people with a very serious interest in statistics beginning to look at baseball data because it's runs and runs allowed that win and lose games.
[. . .]
JENNI DEVEAU: Many of the players, they described being able to see things in

TEXT ON SCREEN:
31% IMPROVEMENT IN VISION
4.4% FEWER STRIKEOUTS
41 MORE RUNS
4 TO 5 MORE WINS
[. . .]
AARON SEITZ: What I've been able to do is take my research that started looking at a very simple basic science problem and turn it into a game that anybody could play that has real-world benefits.

E. Exhibit H, Ultimeyes Press Release (April 18, 2014)

ULTIMEYES
[. . .]
App Scientifically Shown to Improve Vision is Downloadable Now in the Apple App Store for the iPad and iPhone, and Android Phones via Google Play and Amazon's Appstore for Android
[. . .]
Carrot Neurotechnology, Inc. announced today that its popular vision-enhancing interactive game App, ULTIMEYES®, has launched for all iOS and Android platforms. Previously available only for the PC, Mac and iPad, anyone with an iPhone or Android device can now improve their vision…at home or on the go. Improve the clarity of your vision and ability to see in poor lighting, lessen the need for reading glasses, and improve vision for sports and other everyday activities for a better lifestyle. From athletes who want to sharpen their "perfect vision" to people who struggle with low vision issues, ULTIMEYES® has been scientifically shown to help increase vision capabilities via perceptual learning.
[. . .]
Though results vary from person to person, on average, ULTIMEYES® users that have participated in ULTIMEYES studies could read one or two lines better on the Snellen eye chart and experienced a 100% increase in contrast sensitivity. Studies have been conducted with high performance athletes, law enforcement agencies, and people of all ages, genders and vision capabilities.
[. . .]
Carrot Neurotechnology, Inc. develops and sells its patent pending integrated game program ULTIMEYES®, that delivers affordable, safe, and comprehensive vision improvement for sports, reading, driving, and relieving the need for traditional visual aids used for age-related eye conditions such as presbyopia and loss of contrast sensitivity.

F. Exhibit I, Ultimeyes Press Release (Feb. 17, 2014)

University of California Reports Findings That ULTIMEYES® Produces Better Vision and Real World Benefits – Published in Current Biology

A study conducted with UCR Baseball Team [sic] demonstrates that Carrot Neurotechnology Inc.'s interactive vision training game ULTIMEYES® produces improved vision and quantifiable real world benefits.
[. . .]
Carrot Neurotechnology, Inc. today announced that the peer-reviewed journal Current Biology published the results of a study entitled "Improved vision and on-field performance in baseball through perceptual learning," in the February 17th issue, which demonstrates that improved vision resulting from Carrot Neurotechnology's integrated interactive game program ULTIMEYES® yields improved vision with real world benefits. In this peer-reviewed journal, the researchers go on to say that the results of the study demonstrate the ability to deliver real world benefits across a broad range of activities ranging from athletics to more routine lifestyle activities such as reading, watching TV and driving.

The study was conducted by the University of California Riverside and the University of California Riverside baseball team prior to the 2013 season and included 37 players. As a result of using the integrated interactive game program vi6T-trsihe 2013 seal 5(a b)-4(TD [)6(y)26-2(i)aTj EMC t0 Twa-4(l) conduct gesult ofs. 2(n

Count I
Deceptive Efficacy Claims

9. In connection with the advertising, promotion, offering for sale, or sale of Ultimeyes, Respondents have represented, directly or indirectly, expressly or by implication, that Ultimeyes substantially improves users' vision, including that Ultimeyes:

A. Improves the vision of users, including people of all ages, genders, and visual abilities;

B. Improves vision with real world benefits, including benefits across a broad range of activities ranging from athletics to more routine lifestyle activities, such as

D. Reverses, delays, or corrects aging eye or presbyopia, including, but not limited to, by improving night vision, improving users' ability to read in dim light, and diminishing the need for glasses or other visual aids.

12. In fact, scientific testing does not prove that Ultimeyes:

A. Improves the vision of users, including people of all ages, genders, and visual abilities;

B. Improves vision with real world benefits, including benefits across a broad range of activities ranging from athletics to more routine lifestyle activities, such as reading, watching TV, and driving;

C. Improves vision on average by 31% and two lines on the Snellen

Violations of Sections 5 and 12