

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Maureen K. Ohlhausen, Acting Chairman  
Terrell McSweeney

In the Matter of  
  
LENOVO (UNITED STATES) I NC.,  
a corporation.

DOCKET NO. C-4636

DECISION AND ORDER

The Federal Trade Commission (“Commission”) initiated an investigation of certain acts and practices of the Respondent named in the caption. The Commission’s Bureau of Consumer Protection (“BCP”) prepared and furnished to Respondent a draft Complaint. BCP proposed to present the draft Complaint to the Commission for its consideration. If issued by the Commission, the draft Complaint would charge the Respondent with violation of the Federal Trade Commission Act.

Respondent and BCP hereafter executed an Agreement Containing Consent Order (“Consent Agreement”). The Consent Agreement includes a statement by Respondent that it neither admits nor denies any of the allegations in the Complaint, except as specifically stated in this Decision and Order, and that only for purposes of this action admits the facts necessary to establish jurisdiction; and (2) waives and

Respondent at



- iii. the types of covered information that the receiving person or entity will share with third parties which does not include an entity with a common corporate ownership and branding of Respondent or the software provider, third party service provider; or any person or entity otherwise excluded by the Proviso in Part II of this Order;
- iv. the identity or specific categories of such third parties; and
- v. the purposes for sharing such covered information.

2. At the time this disclosure is made, a clear and conspicuous mechanism is to be provided to allow such covered information to be deleted or redacted.

5. On a product label, the disclosure must be presented on the principal display panel.
6. The disclosure must use diction and syntax understandable to ordinary consumers and must appear in each language in which the triggering representation appears.
7. The disclosure must comply with these requirements in each medium through which it is received, including all







B. The





## VII . Recordkeeping

IT IS FURTHER ORDERED that Respondent must create certain records for 20 years after the issuance date of this Order, and retain each such record for 5 years, unless otherwise specified below. Specifically, Respondent must create and retain the following records:

- A. accounting records showing the revenues from all covered products sold, the costs incurred in generating those revenues, and resulting net profit or loss;
- B. personnel records showing, for each person who must receive a copy of this Order pursuant to Part V.B that person's name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;
- C. copies or records of all U.S. consumer complaints relating to covered software or the security of application software, whether received directly or indirectly, such as through a third party, and any responses;
- D. a copy of each representation subject to this Order;
- E. for 5 years after the date of preparation of each Assessment required by this Order, all materials relied upon to prepare the Assessment, whether prepared by or on behalf of Respondent, including all plans, reports, studies, reviews, audits, audit trails, policies, training materials, and assessments, and any other materials concerning Respondent's compliance with related Provisions of this Order, for the compliance period covered by such Assessment; and
- F. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission.

## VIII. Compliance Monitoring

IT IS FURTHER ORDERED that, for the purpose of monitoring Respondent's compliance with this Order:

- A. Within 10 days of receipt of a written request from a representative of the Commission, Respondent must submit additional compliance reports or other requested information, which must be sworn under penalty of perjury, and produce records for inspection and copying.
- B. For matters concerning this Order, representatives of the Commission are authorized to communicate directly with Respondent. Respondent must permit representatives of the Commission to interview anyone affiliated with any Respondent who has agreed to such an interview. The interviewee may have counsel present.

