

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

*In the Matter of*

**Aleksandr Kogan,  
an individual, and**

**FILE NOS: 182 3106, 182 3107**

**AGREEMENT CONTAINING CONSENT**



ALEXANDER JAMES ASHBURNER NIX

By: \_\_\_\_\_  
Alexander James Ashburner Nix

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Kory Langhofer  
Statecraft PLLC  
Attorney for Proposed Respondent

182 3106  
182 3107

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

public comments. The Commission duly considered any comments received from interested persons pursuant to Section 2.34 of its Rules, 16 C.F.R. § 2.34. Now, in further conformity with the procedure prescribed in Rule 2.34, the Commission issues its decision, makes the following Findings, and issues the following Order:

### Findings

1. The Respondent is Alexander James Ashburner ("Nix"), a British citizen currently residing in the United Kingdom.
2. The Commission has jurisdiction over the subject matter of this proceeding over Respondent, and the proceeding is in the public interest.

### ORDER

#### Definitions

For purposes of this Order, the following definitions apply:

- A. "Covered Information" means the following information from or about an individual consumer, including: (a) a first and last name; (b) a physical address or precise geolocation; (c) an email address or other online contact information, such as an instant messaging user identifier or a screen name; (d) a telephone number; (e) a Social Security number; (f) a driver's license or other government-issued identification number; (g) a financial institution account number; (h) credit or debit card information; (i) a persistent identifier, such as a customer number held in a "cookie," a mobile device ID, or processor serial number; (j) data fields that can be accessed or collected through Facebook from or about Facebook Users or their Friends ("likes," "hometowns," "birthdates," "photos," "gender," "educational information," "religious or political views" or "marital" or other "relationship" status); (k) information that is created, maintained, or accessed by the consumer, ("messages"); (l) any data regarding a consumer's activities online (e.g., searches conducted, web pages visited, or content viewed); or (m) any user credentials, such as a username and password.
- B. "Facebook" means Facebook Inc.'s wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and affiliates, and all directors, officers, members, employees, agents, consultants, and other persons working for or on behalf of the foregoing.
- C. "GSRApp" means all iterations of the GSRApp Facebook application that first began operating on the Facebook platform in May 2014.
- D. "Responder" means Alexander James Ashburner Nix.
- E.





and services offered and the means of advertising, marketing, and sales, the involvement of any other Respondent (which Respondent must describe if knows or should know due to his own involvement)



collectively with any other Respondents, is a majority owner or controls directly or indirectly, and that is a U.S. Entity, Respondent must create and retain the following records:

- A. Accounting records showing the revenues from all goods or services sold, the costs incurred in generating those revenues, and resulting net profit or loss;
- B. Personnel records showing, for each person providing services in relation to any aspect of the Order, whether as an employee or otherwise, 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 consumer complaints, whether received directly or indirectly, such as through a third party, and any response;
- D. A copy of each unique advertisement, other marketing material, or widely disseminated statement making a representation subject to this Order
- E. A copy of each widely disseminated representation by Respondent that describes the extent to which Respondent collects, uses, shares, or sells Covered Information, or the purpose for which Respondent collects, uses, shares, or sells any Covered Information;
- F. For 5 years from the date received, copies of all subpoenas and other communications with law enforcement, if such communications relate to Respondent's compliance with this Order; and
- G. All records necessary to demonstrate full compliance with each Provision of this Order, including all submissions to the Commission

## VI. Compliance Monitoring

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

