

consistent with the requirements of the European Union Directive on Data Protection. Enacted in 1995, the Directive sets forth EU requirements for privacy and the protection

Privacy Shield

LotaData complies with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States. LotaData has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

12. Although Respondent initiated an application to Commerce for Privacy Shield certification in November 2017, it did not complete the steps necessary to participate in either the EU-U.S. or the Swiss-U.S. Privacy Shield frameworks and continued to make the statements described in Paragraph 11 in its privacy policy. Therefore, the representation set forth in Paragraph 11 is false and misleading.

Count 1-Privacy Misrepresentation

13. As described in Paragraph 11, Respondent represents, directly or indirectly, expressly or by implication, that it is a participant in the EU-U.S and the Swiss-U.S. Privacy Shield frameworks.
14. In fact, as described in Paragraph 12, Respondent was never certified to participate in either the EU-U.S. or the Swiss-U.S. Privacy Shield frameworks. Therefore, the representation set forth in Paragraph 11 is false or misleading.

Violations of Section 5 of the FTC Act

15. The acts and practices of Respondent as alleged in this complaint constitute deceptive acts or practices.