

COMMERCE

8. At all times material to this Complaint, Defendants have maintained a substantial course of trade in or affecting commerce, as “commerce” is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

DEFENDANTS’ BUSINESS ACTIVITIES

9. Defendants have operated the Devumi.com, TwitterBoost.co., Buyview.co, and Buyplays.co websites. Through these websites, Defendants have sold fake indicators of social media influence, including fake followers, subscribers, views, and likes, to users of different social media platforms, including LinkedIn, Twitter, YouTube, Pinterest, Vine, and SoundCloud.

10. Indicators of social media influence are important metrics that businesses and individuals use in making hiring, investing, purchasing, listening, and viewing decisions. If these metrics are misleading because they are faked, that could induce consumers to make less preferred choices. Fake indicators of social media influence may undermine the influencer economy and consumer trust in the information that influencers provide.

11. Defendants sold fake LinkedIn followers to marketing, advertising, and public relations firms; management consulting firms; companies offering computer software solutions; banking, investment banking, and other financial services firms; human resources firms; and companies offering numerous other services. Defendants sold over 800 orders of fake LinkedIn followers. Defendants enabled purchasers of LinkedIn followers to deceive potential clients, investors, partners, and employees.

12. Defendants sold fake Twitter followers to actors, athletes, musicians, writers, and other individuals who wanted to increase their appeal as influencers. Defendants also sold fake

Twitter followers to motivational speakers, law firm partners, investment professionals, experts, and other individuals who wanted to boost their credibility to potential clients for their services. Defendants fulfilled over 58,000 purchases of fake Twitter followers. Defendants enabled purchasers of Twitter followers to deceive their potential clients about their influence, whether clients were seeking to hire them as influencers or to hire them for other services.

13. Defendants sold fake subscribers to the operators of YouTube channels and fake views to the posters of individual YouTube videos, including musicians who wanted to inflate the popularity of their songs. Defendants had over 4,000 sales of fake YouTube subscribers and over 32,000 sales of fake YouTube views. Defendants enabled purchasers of fake YouTube subscribers and views to deceive potential viewers and potential music purchasers.

14. Between 2014 and 2018, Devumi or its parent company paid Defendant Calas \$2.5 million.

Count I

Means and Instrumentalities to Deceive

18. As described in Paragraphs 9 through 13, in numerous instances, Defendants have sold and distributed fake followers, subscribers, views, and other indicators of social media influence to users of various social media platforms, including LinkedIn, Twitter, YouTube, Pinterest, Vine, and SoundCloud, thereby allowing those users to exaggerate and misrepresent their social media influence.

19. In so doing, Defendants have provided such users of social media platforms with the means and instrumentalities for the commission of deceptive acts or practices.

20. Therefore, Defendants' acts or practices as set forth in Paragraph 18 constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

PRAYER FOR RELIEF

Wherefore, Plaintiff FTC, pursuant to Sections 13(b) of the FTC Act, 15 U.S.C. § 53(b) and the Court’s own equitable powers, requests that the Court:

A. Enter a permanent injunction to prevent future violations of the FTC Act by Defendants;

B. Award such relief as the Court finds necessary to redress injury to consumers resulting from Defendants’ violations of the FTC Act, including the disgorgement of ill-gotten monies;

C. Award Plaintiff the costs of bringing this action, as well as such other and additional relief as the Court may determine to be just and proper.

Respectfully submitted,

ALDEN F. ABBOTT
General Counsel

Dated: 2 F W R E H U

V 0 L F K D H O 2 V W K H L
MICHAEL OSTHEIMER
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, D.C. 20580
Tel.: 202-326-2699
Fax: 202-326-3259
Email: mostheimer@ftc.gov

Attorney for Plaintiff
FEDERAL TRADE COMMISSION