Concurring Statement of Commissioner Christine S. Wilson

In re MoviePass, Inc.

FTC File No. 1923000

June

7, 2021

I support the complaint and consent in this matter challenging the respondents’ marketing of its
movie subscription
 product. Specifically, the respondents offered
 subscribers “unlimited movies”
but deployed a variety of tactics to prevent consumers from

unlimited subscription

that were employed to achieve this throttling effect

almost certainl y

would be considered mat erial to consumers’ decision

s

to purchase the subscription.

ROSCA Section 8403 plainly states that for goods or services sold through a negative option

feature

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the seller must “clearl y and conspicuousl y disclose all material terms

of the transaction.”

The respondents here did not disclose all material terms. Therefore, these facts, as alleged, in my

view support a violation of ROSCA.

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