

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Office of the Secretary

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Anonymous

RE: In the Matter of CafePress, LLC
File No. 1923209

Dear Anonymous:

:H ZRXOG OLNH WR WKDQN \RX IRU FRPPHQWLQJ RQ WK
&RPPLVLRQ RU)7& SURSRVHG FRQVHQW RUGHUV LQ W
&RPPLVLRQ KDV SODFHG \RXU FRPPHQW RQ WKH SXEOLF U
DJHQF\ V 5XOHV RI 3UDFWLFH &) 5 † E LL 7KH &
FRQVXPHUV IURP GHFHSWLYH XQIDLU DQG RWKHU XQODZI
RQ WKLW PDWWHU

\$FFRUGLQJ WR RXU FRPSODLQW DJDLQVW 5HVLGXDO 3X
WKH FRPSDQLHV YLRODWHG WKH)7& \$FW E\ HQJDJLQJ LQ G
GDWD VHFUXLW\ DQG SULYDF\ RI WKH SHUVRQDO LQIRUPDW

7KH 3SURSRVHG 2UGHUV DPRQJ RWKHU WKLQJV SURKLE
PLVUHSUHVHQWDWLRQV DERXW SULYDF\ DQG VHFUXLW\ RI
RI DQ ,QIRUPDWLRQ 6HFXULW\ 3URJUDP UHTXLUH WKLUG S
VXEPLVLRQ RI D UHSRUW WR WKH)7& DIWHU DQ\ &RYHUHG
ZLOO UHFHLYH D QRWLFH WKDW WKHLU GDWD ZDV FRPSURF
GDWD EUHDFK DQG ZKDW ZRXOG DOORZ WKH)7& WR QRWLI\ FR
EUHDFK 7KH)7& LQYHVWLJDWHG WKH FRPSDQLHV EXVLQHVV S
3SURSRVHG 2UGHU ZLWK 3ODQHW\$UW // & UHTXLUHV WKH FRPSD
JLYHV WKHP LQIRUPDWLRQ DERXW ZKDW KDSSHQHG DQG GHWDI
WKHLU SHUVRQDO LQIRUPDWLRQ 7KH 3SURSRVHG 2UGHUV DOVR
HYHQW RI D &RYHUHG ,QFLGHQW ZKLFK LV GHILQHGV DV DQ LC
SURYLGH QRWLFH WR D JRYHUQPHQW HQWLW\ LI DQ LQGLYLGXD
ZKHQ WKH 3SURSRVHG 5HVSRRGHQW GLVFRYHUV WKH &RYHUHG ,

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requires Proposed Respondents to “[d]esign, implement, maintain, and document safeguards that control” for any risks to the “privacy, security, confidentiality, or integrity of Personal Information” that the II.D assessment identifies.

Your letter states the FTC could adopt a risk analysis framework articulated by the Sedona Conference to avoid “[s]elf-interested risk analysis” that ignores impacts to consumers. However, the provisions described above, and others in the Proposed Orders, require Proposed Respondents to assess risks of potential harm to consumers and to take action when such risks are identified.

Having considered all the facts of this case and the comments submitted in response to the Proposed Orders, the Commission has now determined that the public interest would best be served by issuing the Complaint and the Decisions and Orders in final form without any modifications. The final Decisions and Orders and other relevant materials are available from the Commission’s website at <http://www.ftc.gov>. The Commission thanks you again for your comment.

By direction of the Commission.

Sincerely,

April J. Tabor
Secretary

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