

Analysis of Proposed Consent Order to Aid Public Comment
In the Matter of Gravy Analytics, Inc. and Venntel, Inc., File No. 2123035

The Federal Trade Commission (“Commission”) has accepted, subject to final approval, an agreement containing a consent order from Gravy Analytics, Inc. (“Gravy Analytics”) and Venntel, Inc. (“Venntel,” and collectively with Gravy Analytics, “Respondents”).

The proposed consent order (“Proposed Order”) has been placed on the public record for 30 days for receipt of public comments by interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the agreement, along with the comments received, and will decide whether it should make final the Proposed Order or withdraw from the agreement and take appropriate action.

Gravy Analytics and Venntel are Delaware corporations with their headquarters in

associated with mobile devices

racial or ethnic origin; (7) locations held out to the public as providing temporary shelter or social services to homeless, survivors of domestic violence, refugees, or immigrants; or (8) military installations, offices, or buildings.

This prohibition does not apply to sensitive location data used to respond to or prevent data security incidents, for national security purposes conducted by federal agencies or other federal entities, or for response by a federal law enforcement agency to an imminent risk of death or serious bodily harm to a person.

Part III requires that Respondents implement and maintain a sensitive location data program to develop a comprehensive list of sensitive locations and to prevent the use, sale, license, transfer, sharing, or disclosure of sensitive location data.

Part IV requires that Respondents establish and implement policies, procedures, and technical measures designed to prevent recipients of Respondents' location data from associating consumers with locations predominantly providing services to LGBTQ+ individuals, locations of public gatherings of individuals during social demonstrations, marches, or protests, or using location data to determine the identity or location of an individual's home.

Part V requires that Respondents notify the Commission any time Respondents determine that a third party shared Respondents' location data, in violation of a contractual requirement between Respondents and the third party.

Part VI requires that Respondents must not collect, use, maintain, and disclose location data: (1) when consumers have opted-out, or otherwise declined targeted advertising and (2) without a record documenting the consumer's consent obtained prior to the collection of location data.

Part VII requires that Respondents implement a supplier assessment program designed to ensure that consumers have provided consent for the collection and use of all data obtained by Respondents that may reveal a consumer's precise location. Under this program, Respondents must conduct initial assessments of all their data suppliers within 30 days of entering into a data sharing agreement, or within 30 days of the initial date of data collection. The program also requires that Respondents confirm that consumers provided consent and create and maintain records of suppliers' assessment responses. Finally, Respondents must cease from using, selling, or disclosing location data for which consumers have not provided consent.

Part VIII requires that Respondents provide a clear and conspicuous means for

location data within 15 days after Respondents receive notice that the consumer withdraws their consent.

Part XI also requires that Respondents provide a simple, easily-located means for consumers to request that Respondents delete location data that Respondents previously collected and to delete the location d