

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Lina M. Khan, Chair
Rebecca Kelly Slaughter
Alvaro M. Bedoya
Melissa Holyoak
Andrew Ferguson

In the Matter of

INTELLIVISION TECHNOLOGIES CORP.

COMPLAINT

The Federal Trade Commission, having reason to believe that IntelliVision Technologies Corp., a corporation ("Respondent"), has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent IntelliVision Technologies Corp. ("IntelliVision"), is a Delaware corporation with its principal office or place of business at 6203 San Ignacio Avenue, San Jose, California 95119.
2. Respondent has advertised, offered for sale, sold, and distributed artificial intelligence software /TT05 (te)6 (l469-35.69>-1 (t)-2 (r)34c29 y<o9 gn(l469-a)4 (dve)-6 on(a)4 (l)fw [(a)4 (dw)69-3
3. Respondent's facial recognition software has been incorporated into consumer products sold by its former parent corporation Nice North America, LLC
4. For example, Respondent's facial recognition software has been integrated into the 2GIG Edge, a home security system. The software allows consumers to register their face and then scan their face to gain access to the system.
5. Respondent's facial recognition software also has been integrated into the Elan Intelligent Touch Panel. The software allows consumers to register their face and then scan their face to gain access to the smart home features of the touch panel.

11. Respondent submitted its facial recognition algorithms to NIST for testing at various points in 2019, 2022, and 2023. The test results on NIST's public website indicate that error rates for IntelliVision's algorithms differed across different demographics, including region of birth and sex. The results also show that IntelliVision's algorithms were not one of the top-performing algorithms. For example, in terms of false non-match rate Intellivision's algorithms were not among the top 100 best performing algorithms tested by NIST as of December 19, 2023.
12. Respondent does not possess testing to support its claims that its facial recognition technology has one of the highest accuracy rates on the market, that it can detect faces of all ethnicities without racial bias, or that it performs with zero gender or racial bias.
13. Respondent does not possess testing of its anti-spoofing technology that is sufficient to support its unqualified claim that the technology ensures the system cannot be fooled by a photo or video image, nor did IntelliVision's testing assess how the anti-spoofing technology performed across demographic groups.
14. Respondent also did not train its facial recognition software on millions of faces. Rather it trained its facial recognition technology on images of approximately 100,000 unique individuals and then used technology to create multiple variants of those same images and faces.

Count I
Misrepresentations – Facial Recognitions

