

Frankle, Janice Podoll

From: Jeffrey Chester [REDACTED]
Sent: Wednesday, November 21, 2012 11:30 AM
To: Vladeck, David; Engle, Mary Koelbel
Cc: DeLorme, Christine Lee; Weinman, Yael; Kestenbaum, Janis; Davis, Anna
Subject: Brand Safety, inc. Google, Yahoo, AT&T, COPPA related

If you're an advertiser or agency responsible for advertising online or on the mobile web The Media Trust can help ensure your campaigns are delivered to your intended audience and provide insight into where your competitors are advertising....Media Trust supports display, rich-media, video and search advertising on behalf of some of the most well-known brands on the internet including AdMeld, AdMob, AOL, Burst Media, Comcast, OpenX, Toyota, Yahoo and YouTube.

Verify Campaigns Are Reaching Their Intended Audience

Through Media Verifier we provide independent, third-party verification on whether or not ad campaigns have launched in accordance with any line items included in the contract. That means we make sure your ad is running on the correct web page and being delivered to the intended web users- whether demographic, geographic, behavioral or mobile targeting is being used. We have automated this entire process to include screenshot delivery of the ad and its placement in the form of a virtual tear sheet that is date and time-stamped with where we found it (website or mobile app) and how (type of targeting used). Since we begin the verification process once a campaign goes live, we can alert you to problems with the delivery or targeting early on, giving you the ability to resolve problems before additional impressions are wasted.

The Media Trust is the leading provider of transparency and ad verification solutions to over 300 companies in the online and mobile advertising ecosystem.

Our proprietary web monitoring technology identifies malvertising and data leakage occurring in ad tags and content running through the entire advertising value chain- from agencies and DSPs, to ad exchanges and networks to sell side platforms and web publishers. We maintain the largest global infrastructure for providing ad tag transparency and verifying geographically targeted ad campaigns, allowing us to ensure that thousands of media buys in over 40 countries are being executing correctly, reducing discrepancies, errors and make-good scenarios in-flight.

<https://www.themediatrust.com/agencies-advertisers.php>

also see mobile brand safety: <http://www.youtube.com/watch?v=MWPdMYyS9t0>

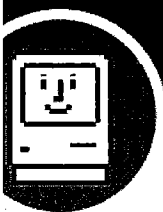
Originally enacted in 1998, COPPA stands for the Children's Online Privacy and Protection Act. COPPA is the law that puts parents in control of what personal data and information companies can collect from children under age 13.



WHY UPDATE COPPA?



Technology has changed drastically since 1998. To protect our kids' privacy from online marketers and tracking, we must update COPPA's rules to cover mobile devices, social networks, and online gaming.



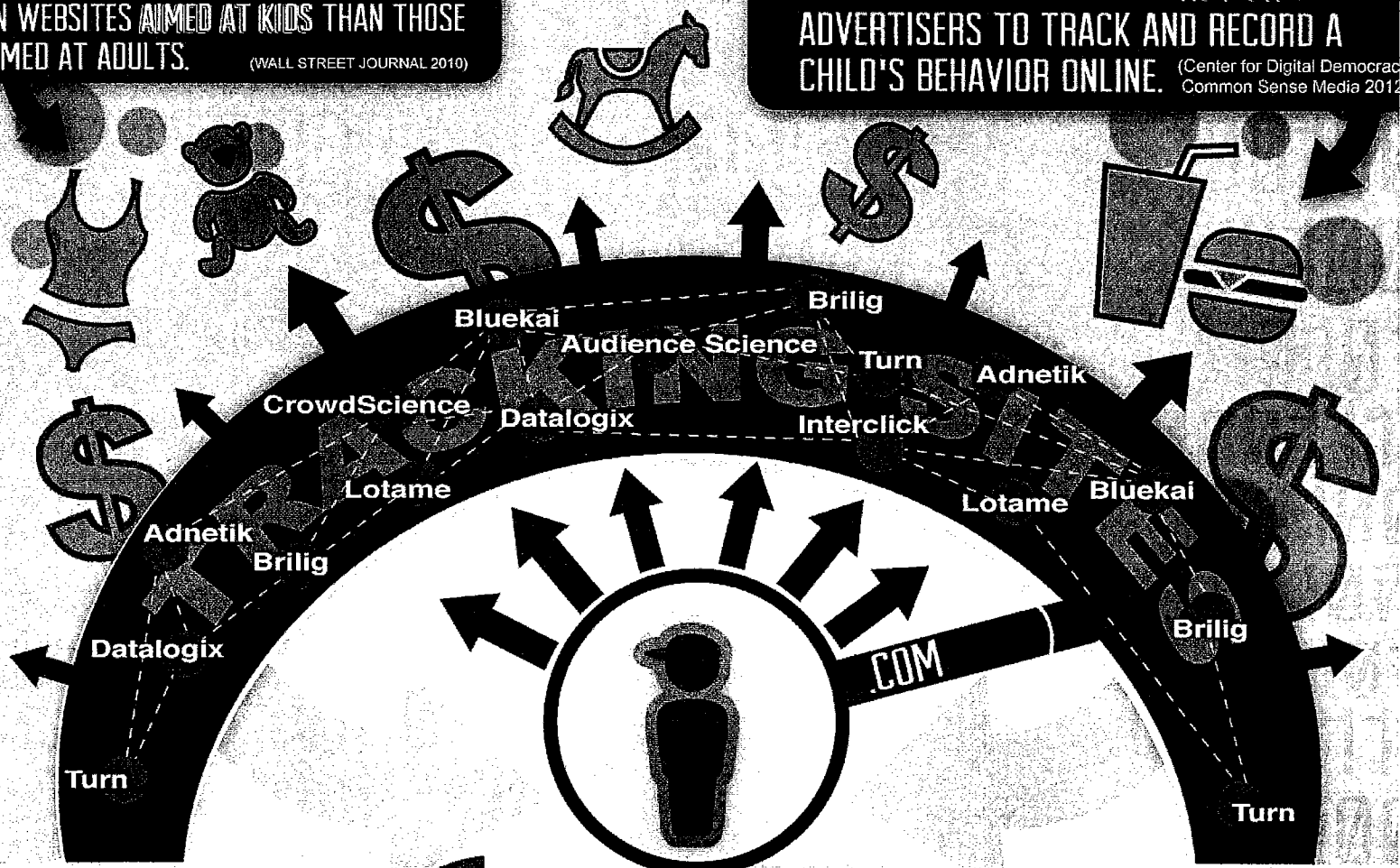
BIG DATA, LITTLE KIDS!

Today a simple click on a website allows companies looking for detailed information about your child to track their activities while they surf, play and learn online. This information is of great value to marketers looking to sell junk food, entertainment, and more.

Updating COPPA will keep parents in control of how – and by whom – your child's personal details are shared via this digital web.

HERE ARE 30% MORE TRACKING COOKIES IN WEBSITES AIMED AT KIDS THAN THOSE AIMED AT ADULTS. (WALL STREET JOURNAL 2010)

90% OF PARENTS SAY IT'S NOT OK FOR ADVERTISERS TO TRACK AND RECORD A CHILD'S BEHAVIOR ONLINE. (Center for Digital Democracy, Common Sense Media 2012)



JOIN OUR CAMPAIGN



Frankle, Janice Podoll

From: Jeffrey Chester [REDACTED]
Sent: Thursday, December 06, 2012 12:21 AM
To: [REDACTED]; Ramirez, Edith; Brill, Julie; Ohlhausen, Maureen; Rosch, Tom
Cc: Vladeck, David; Lupovitz, Joni; DeLorme, Christine Lee; Engle, Mary Koelbel; Marcus, Phyllis; Kresses, Mamie; Mithal, Maneesha; Olsen, Christopher; Rich, Jessica L.; Kestenbaum, Janis; Weinman, Yael; Davis, Anna; Zylberglait, Pablo; Koehler, David K.
Subject: Poll: Public Supports COPPA Rule Update



FOR IMMEDIATE RELEASE
Dec. 6, 2012

New Survey Reveals Strong Support for Updating Children's Online Privacy Protection Act

Majority express concerns about new marketing and data-collection practices such as behavioral profiling and mobile tracking

WASHINGTON, DC and SAN FRANCISCO – Two leading nonprofit groups, the Center for Digital Democracy and Common Sense Media, today released the results of a new survey on public attitudes about children's online privacy. The study — conducted over a two-week period in November by Princeton Research Associates International (PSRAI) — polled more than 2,000 adults and found overwhelming support for the Children's Online Privacy Protection Act (COPPA), the law that requires parental consent before websites can collect personal information from children under the age of 13. The findings revealed strong support not only for the basic principles of the law, but also for several key proposed changes in the rules that would address a range of online business practices — including mobile marketing and behavioral profiling — that have emerged since the COPPA took effect more than a decade ago. The Federal Trade Commission is expected to announce a number of updates to the COPPA regulations in the coming weeks.

The majority of respondents in the survey (90%) expressed support for COPPA's basic requirement that online companies seeking to collect personal information from young children must first obtain permission from parents. In addition, the survey found significantly high levels of support for safeguards to protect children from many of the data collection and marketing practices that are frequently used to target them in today's digital media environment.

Respondents expressed disapproval of a number of techniques increasingly employed by many child-directed websites — 80% of adults were opposed to allowing advertisers to collect and use information about a child’s activities online, even in cases where advertisers do not know the actual name and address of a child.

The survey also found that both parents and nonparents largely agree on many points:

- 91% of both parents and adults believe it is not okay for advertisers to collect information about a child’s location from that child’s mobile phone.

- 94% of parents and 91% of adults agree that advertisers should receive the parent’s permission before putting tracking software on a child’s computer. 96% of parents and 94% of adults expressed disapproval when asked if it is “okay OK for a website to ask children for personal information about their friends.”
 - 91% of parents said they strongly disagree with the idea, as did 86% of adults.

Congress passed COPPA in 1998 with bipartisan support. The law established a set of safeguards for website operators targeting children under 13, and ensured that parents would play the key decision-making role in determining whether and how their children’s personal information would be used in the online environment. The law was purposely designed to respond to changing technologies and business practices, and requires the Federal Trade Commission to conduct periodic reviews. A coalition of child advocacy, consumer, public health, and privacy groups has called on the FTC to update its COPPA rules to cover many of the techniques that marketers are using today, which include: collecting geolocation information from a child’s mobile phone; targeting children and their friends through social networks and interactive games; and employing cookies, plug-ins, and other software to track young peoples’ online behaviors. The FTC proposed changes to the rules last year, and has sought comments from a wide range of industry and public interest groups, but has yet to release its revised regulations.

“It is clear from these findings that the public supports strong action by the FTC to address the disturbing and widespread practices that threaten the privacy and safety of our nation’s children,” said Kathryn C. Montgomery, Ph.D, professor of communication at American University and one of the leaders of the campaign to pass COPPA during the 1990s. “Children should be able to reap the benefits of this new participatory media culture without being subjected to techniques that take advantage of their developmental vulnerabilities. We must ensure that the COPPA rules are updated effectively so that the generation of young people growing up online today will be treated fairly in the growing digital marketplace.”

“The results of this poll should be a wake-up call to the industry that parents understand what’s at stake for their kids in a digital world, and want the power to protect their children to remain in their hands,” said James P. Steyer, CEO and founder, Common Sense Media. “The industry argues that updates to COPPA will stifle innovation and cost jobs, when in fact, they should respect the role of parents and use it build consumer trust. The FTC’s recommended updates to COPPA represent the most important regulation of the past 10 years when it comes to protecting our kids’ privacy. They will help ensure that parents have better

information and tools, and that parents -- not third-party ad networks and data brokers -- get to decide when their children's personal information can -- and can't -- be collected, shared, and sold."

Additional information about the survey, including a summary of findings, full tables, and an infographic called "Big Data, Little Kids" is available at: <http://www.centerfordigitaldemocracy.org/new-survey-reveals-strong-support-updating-children%E2%80%99s-online-privacy-protection-act-coppa-majority-e>

About Center for Digital Democracy

The Center for Digital Democracy (CDD) is recognized as one of the leading consumer protection and privacy organizations in the United States. Since its founding in 2001 (and prior to that through its predecessor organization, the Center for Media Education), CDD has been at the forefront of research, public education, and advocacy on protecting consumers in the digital age. Its impact has been highly significant, fostering widespread debate, educating a spectrum of stakeholders, and creating a legacy of government and self-regulatory safeguards across a variety of Internet and digital media platforms. CDD's public education programs are focused on informing consumers, policy makers, and the press about contemporary digital marketing issues, including its impact on public health, children and youth, and financial services. For more information, visit www.democraticmedia.org.

About Common Sense Media

Common Sense Media is dedicated to improving the lives of kids and families by providing the trustworthy information, education, and independent voice they need to thrive in a world of media and technology. We exist because our kids are growing up in a culture that profoundly impacts their physical, social, and emotional well-being. We provide families with the advice and media reviews they need in order to make the best choices for their children. Through our education programs and policy efforts, Common Sense Media empowers parents, educators, and young people to become knowledgeable and responsible digital citizens. For more information, go to: www.commonsense.org.

<http://www.centerfordigitaldemocracy.org/new-survey-reveals-strong-support-updating-children%E2%80%99s-online-privacy-protection-act-coppa-majority-e###>

Frankle, Janice Podoll

From: Jeffrey Chester [REDACTED]
Sent: Saturday, December 08, 2012 8:33 AM
To: [REDACTED] Brill, Julie; Ramirez, Edith; Ohlhausen, Maureen; Rosch, Tom
Cc: DeLorme, Christine Lee; Weinman, Yael; Kestenbaum, Janis; Davis, Anna; Zylberglait, Pablo; Koehler, David K.; Vladeck, David; Engle, Mary Koelbel; Marcus, Phyllis; Kresses, Mamie; Rich, Jessica L.; Angela Campbell; Laura Moy; Kathryn Montgomery
Subject: WSJ on Kids data collection-Club Penguin tracking

from WSJ interactive chart today:

238 ClubPenguin.com

✕

ClubPenguin.com

Username sent to:

- [BlueLithium \(Yahoo Advertising\)](#)
- [Deal Group Media](#)
- [DoubleClick \(Google\)](#)
- [Emailing Network Platform](#)
- [Google AdWords](#)
- [MediaMind](#)
- [Microsoft](#)
- [Networkplay](#)
- [ScorecardResearch \(ComScore\)](#)
- [Tribal Fusion](#)
- [VCommission](#)
- [Yield Manager \(Yahoo\)](#)

Company Comments Disney says it restricts entities that collect information on its behalf from using the information beyond specified purposes, such as ad serving and traffic reporting.

Recipient Comments ComScore, Google, Yahoo, Tribal Fusion and Microsoft say they don't use or keep usernames. VCommission says it doesn't keep any data sent to it by companies.

MediaMind said the information may have been sent for the purpose of ad targeting but that it is the publisher's decision to send the information. It said it did not store any indication that such data was passed.

Other companies did not comment.

Other notes The Journal selected this site for testing because it is a popular site in a sensitive category (children).

Which Websites Are Sharing Your Personal Details?

To identify what personal information gets passed to other companies when you log in to popular websites, The Wall Street Journal tested 50 of the top sites (by U.S. traffic) that offer registration, excluding sites that required a real-world account, such as banking sites. The Journal also tested 20 selected other sites that focus on sensitive subjects such as dating, politics, health, or children's issues, and our own site, WSJ.com. **Click here to read more about the methodology.** Results for each site are below. Sites are ranked by popularity, based on

comScore's numbers. Sites not in comScore's top 1,000 are marked with a "*". *Click on the rows for more details.*

<http://blogs.wsj.com/digits/2012/12/07/sites-sharing-personal-details-the-journal-methodology/>

[http://online.wsj.com/article/SB10001424127887324784404578143144132736214.html?mod=WSJ Tech LEADTop#articleTabs%3Dinteractive](http://online.wsj.com/article/SB10001424127887324784404578143144132736214.html?mod=WSJ_Tech_LEADTop#articleTabs%3Dinteractive)

Frankle, Janice Podoll

From: Jeffrey Chester [REDACTED]
Sent: Tuesday, December 11, 2012 6:26 AM
To: Ramirez, Edith
Cc: Kestenbaum, Janis
Subject: kids mobile app complaint filed today

(Commissioner: Hope all is well and best for the holiday. That was a very good report released yesterday).

For Immediate Release
December 11, 2012
Center for Digital Democracy

Contact: Jeff Chester (202-986-2220)

[REDACTED]
www.democraticmedia.org

Center for Digital Democracy Charges Mobile Game Company
with Violation of the Children's Online Privacy Protection Act

Urges Federal Trade Commission to Investigate and Bring Action Against Mobbles

While Kids Capture Virtual Pets,
Mobbles Captures Personal Information from Children

Washington, DC: The Center for Digital Democracy (CDD) filed a complaint today with the Federal Trade Commission (FTC) calling for an investigation of and action against the Mobbles Corporation for operating the mobile application Mobbles in violation of the Children's Online Privacy Protection Act (COPPA). Mobbles, a game involving virtual pets, is directed at children under age 13. It collects personal information from children without providing any notice to parents (nor even attempting to obtain verifiable parental consent), as required by law.

Available since May 2012 on iTunes for the iPhone and from the Google Play store for Android devices, Mobbles has ranked among the top 100 grossing "Entertainment" iTunes apps in 24 countries, and among the top 10 in 10 countries. Between 10,000 and 50,000 users downloaded Mobbles over the last 30 days in the Google Play store alone. An elaborate, location-based game that involves capturing, collecting, trading, and

caring for virtual pets, “Mobbles” raises a number of privacy and child-safety issues, CDD’s complaint explains.

First, because Mobbles is a location-based game, it uses smart-phone technology both to determine and to share the precise physical location of children playing the game. Second, because users must be within 54 yards of a Mobble to “catch” it, the game encourages children to wander around at all hours to get close enough to capture a particular Mobble (some of which are only available at night). Third, through its newsletter sign-up and registration required for pet trading, Mobbles collects children’s email addresses and other contact information without parental notice or consent. And, finally, although many of the game’s items are available free (as is the game itself), Mobbles encourages the expenditure of actual funds (via credit-card accounts) to acquire virtual items that are only available for purchase.

As CDD’s complaint makes clear, Mobbles violates COPPA’s requirement that any online service directed at children provide notice “of what information it collects from children, how it uses such information, and its disclosure practices for such information,” and obtain parental consent *before* collecting personal information from a child. Mobbles provides no privacy policies nor does it make any attempt to obtain parental consent before collecting a child’s physical address, online contact information, or the online contact information of a child’s friends.

“This case underscores the urgent need to update the Federal Trade Commission’s rules on children’s online privacy,” said CDD Executive Director Jeff Chester. “The use of persistent identifiers on mobile devices and other platforms must be covered under the proposed new COPPA regulations.”

“By its very design, the Mobbles app takes unfair advantage of children’s developmental vulnerabilities, and even potentially threatens their personal safety,” commented Dr. Kathryn Montgomery, Professor of Communication at American University, who spearheaded the campaign for COPPA in the 1990’s. “This complaint provides a glimpse into a much larger, rapidly growing children’s mobile market, in which companies are unleashing all of the available techniques for targeting kids, including geo-location, instant rewards, and in-phone purchases. In the process, these companies are capturing a wide range of personal information available on smart phones and other mobile devices. Such practices not only violate the law, but also fly in the face of industry promises to protect children’s privacy in the digital media marketplace.”

CDD’s filing was prepared by the Institute for Public Representation at Georgetown University Law Center. Georgetown Law Student Jessica Wang, who researched and drafted the request, urged the FTC “to act promptly to stop mobile apps such as Mobbles from pinpointing children’s physical location, sending them direct messages, and contacting kids’ friends without their parents’ knowledge and permission.” Noting that on Monday the FTC released a report documenting that a large percentage of the most popular mobile apps for kids are collecting information without parental notice and consent, Angela Campbell, Director of the Institute for Public Representation, urged the FTC to include Mobbles as one of the apps it planned to investigate.

A copy of CDD's request is available at www.democraticmedia.org.

--30--