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July 14, 1997

Secretary  
Federal Trade Commission  
Room H- 159  
Sixth Street & Pennsylvania Ave., NW  
Washington, DC 20580

Re: Public Workshop on Consumer Information Privacy Supplemental Comments for the Record

The Center for Media Education (CME) and Consumer Federation of America (CFA) would like to thank the Federal Trade Commission (FTC) for allowing us to participate in the Public Workshop on Consumer Information Privacy held June 10-13, 1997. We are gratified that the FTC has continued its investigation into consumer privacy concerns and specifically, children's privacy on the Internet. Our organizations continue to urge the Commission to take steps to protect children's privacy along the lines originally described in our detailed filing in June 1996, and its further explained during the recent workshop. We feel that it is necessary for the FTC to promulgate guidelines requiring: (1) parental consent to be obtained when personally identifiable information is collected from children; and (2) information collectors to fully and effectively disclose their information Collection practices.<sup>1</sup>

In the two years since the FTC first began addressing the online collection of children's personal information, CME/CFA have shown that threats posed to children's privacy have not only continued, they have worsened.

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<sup>1</sup> See CME/CFA's "Guidelines for the Collection and Tracking of Information from Children on the Global Information Infrastructure and in Interactive Media" submitted to the FTC on June 4, 1996, for a full discussion. See also the supplemental guidelines submitted to the FTC on June 12, 1997. A summary of the guidelines is found in Appendix 1.

- In March 1996, CME released *Web of Deception: Threats to Children from Online Marketing*, which reviewed over 30 Web sites and content areas on proprietary services and found a pattern of consistent collection of information from children through a number of sophisticated marketing techniques.
- On May 13, 1996, CME filed a complaint with the FTC against the KidsCom Web site, urging the Commission to investigate its deceptive design.
- On November 25, 1996, CME/CFA submitted to the Commission a letter, which reviewed six additional sites, urging the FTC to adopt guidelines to prevent online advertisers from further invading children's privacy.
- Last month, CME/CFA submitted to the Privacy Workshop record an analysis of 38 individual Web sites designed for children. Ninety percent of the sites identified collected personally identifiable information but none of them obtained verifiable parental consent before doing so. Additionally, forty percent of the sites used incentives, such as free merchandise, screensavers and sweepstakes, to encourage children to release information about themselves.<sup>2</sup> Two Web sites included contrary claims about what they would do with the information collected from children at their sites.
- With this letter we are including 13 more sites soliciting information from children.<sup>3</sup> While many of these new examples technically comply with the guidelines devised by the Children's Advertising Review Unit, they fail to obtain verifiable parental consent and they fail to provide adequate disclosure.

In the last two years, virtually every marketer of kid-related products and services has created an online presence. Every time children explore the Web, they will find more and more sites enticing them to provide information about themselves. It is imperative that the FTC promulgate guidelines soon to protect children's privacy. The guidelines should declare that it is an unfair trade practice for commercial Web sites specifically designed for children to collect personally identifiable information without verifiable parental consent.

The overwhelming evidence exhibiting strong parental concern presented by Dr. Alan Westin's survey findings made it clear that parental involvement is an essential part of any solution to protect children from privacy invasions. It is unfair to allow information collectors to continue gathering information from a child without first obtaining permission from the child's parent. Undoubtedly, children will be harmed--both economically and psychologically--if Web sites continue their current practices.

Decades of social scientific, psychological and behavioral research has been dedicated to better understanding children's needs and the developmental processes they undergo. In general, this body of scholarship has found that a child's external world is screened by her parents. Parents and other adult caregivers serve as a buffer between the child and the larger world, determining her level of exposure to people, places and ideas. As a result, children, especially young children, do not have a great deal of experience with privacy. They neither comprehend the concept of privacy nor have they engaged in any real-world efforts to protect it and themselves. It is only later in adolescence, when young people start acting independently of their families, that they learn about privacy. Lessons taught by others--such as parents, teachers and peers--and their own experimentation guide young people as they develop a sense of their independence and privacy. The Internet in general,

<sup>2</sup> See Appendix 2 for a full copy of the site analysis.

<sup>3</sup> See Appendix 3, "More Popular Children's Commercial Sites."

and content found on the Web in particular, however, have greatly reduced the age at which children act independently. Today, whether they comprehend it or not, children are being forced to confront issues of privacy long before they have the capacity to understand the implications of their own behavior.

Children simply do not understand that their privacy has value. When they unwittingly release information about themselves--their name, E-mail address, street address and other personal facts--they can in no way anticipate how their information will be used. They have a particularly difficult time resisting information solicitations when the requests are tied to a promoters' slick and colorful blandishments. Many of the commercial Web sites aimed at children take advantage of their desire for immediate gratification, nurturing impulse behavior and inhibiting thoughtful responses. The result is that these online spaces discourage critical thinking among its young users. Instead, the goal is to develop product loyalty and to invert the rule "Don't talk to strangers." The new cyberspace rule is "Do talk to electronic friends." Whether it is Colgate's Tooth Fairy, M&M's Security or the "Glossy Girls" Gang, companies are investing a great deal of time and resources so that children will perceive make-believe corporate characters as their friends. Moreover, these commercial environments get children in the habit of talking about themselves, a practice that may have chilling implications when extended to the off-line world.

In light of the concerns raised when information is collected from children, several technological solutions have been considered as a means to empower parents to protect their children's privacy. In addition to the software programs that were demonstrated in the 1996 Privacy Workshop and evaluated in Consumer Reports this year, the June 1997 workshop provided new opportunities for alternative technological designs to be promoted. Most notably, the Platform for Privacy Preferences (P3) was introduced.<sup>4</sup> Although both CME and CFA participated in discussions concerning the development of P3, this experience gave us insight into the shortcomings of a browser-based approach to protecting children's privacy.

To begin, P3, as it is currently conceptualized, fails to address the inexplicable connection between the issues of privacy and marketing. The system separates the release of a child's information from the nature of the request for his or her information. While a parent may set the browser to follow one set of preferences, CME/CFA suspect that very strong marketing influences will be used to encourage children to ask that those preferences be changed. In order to create meaningful safeguards, information solicitations must be understood contextually. A request for information is not only the page that asks a child, "What is your E-mail address?" but often is the many pages leading up to that page that persuade the child to answer the question, especially if these earlier pages contain merchandise giveaways and other enticements. In addition, a browser-based system will give marketers the green light to use whatever techniques they can develop to target young computer users, placing the onus entirely on parents. A browser-based system, furthermore, does not provide the parent and child with the flexibility they need to make individual decisions about the release of personal information. Parents may have significantly different attitudes toward individual Web sites that would not be reflected by a single generic setting. Lastly, the system does not address its own usability within schools. It is unclear how preferences will be set for children exploring the Internet from computers in their classrooms.

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<sup>4</sup> Shelley Pasnik, CME's Director of Children's Policy, served on the Vocabulary Subcommittee of P3, providing input on the merits and limitations of using a browser-based system to protect children's privacy.

Thank you again for the attention you have given to issues surrounding children's privacy. We look forward to the Commission's quick action to ensure that children are protected from online privacy invasions.

Respectfully submitted,

*Kathryn Montgomery*

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CC: Chairman Robert Pitofsky  
Commissioner Mary L. Azcuenaga  
Commissioner Janet D. Steiger  
Commissioner Roscoe B. Starek, III  
Commissioner Christine A. Varney

## Appendix 1

### **Guidelines for the Collection and Tracking of Information from Children on the GII and in Interactive Media Submitted to the Federal Trade Commission 1996-7**

In June 1996, the Center for Media Education (CME) and Consumer Federation of America (CFA) requested that the Federal Trade Commission (FTC) issue guidelines for permissible industry practices regarding the collection and tracking of information from children on the Global Information Infrastructure and in Interactive Media. The guidelines are founded on two basic principles:

- Personally-identifiable information may be collected and/or tracked from children for commercial marketing purposes only if the collection and tracking practices are not deceptive; are fully and effectively disclosed; and valid parental consent is obtained.
- Aggregate and anonymous information may be collected and/or tracked from children for commercial marketing purposes only where the collection and tracking practices are not deceptive and are fully and effectively disclosed.

#### **All information collectors/trackers must comply with four requirements:**

##### **1) Disclosure must be full and effective.** The disclosure notice must include:

- what information is being collected or tracked;
- how the information is being collected or tracked;
- how the information will be used;
- who is collecting the information; and
- who will have access to the information

##### **2) Parental consent must be obtained.** In order for the consent to be valid:

- the child must understand that s/he needs to get parent permission before proceeding and the parent must receive complete disclosure;
- access to those areas of the site where information is collected or tracked must be conditioned on receipt of valid parental consent; and
- the burden is on the collector/tracker to obtain valid parental consent through writing or other electronic mechanisms.

##### **3) Parents must be able to correct information already collected about and from their children.**

##### **4) Parents must be able to prevent the further use of their children's information after it has been collected.**

In June 1997, at a subsequent FTC Workshop on Consumer Information Privacy, CME/CFA recommended additional guidelines regarding the collection and use of children's personally identifiable information.

**All information collectors/trackers must comply with five additional requirements:**

- Product spokescharacters and other mythical/fictional figures should not be used to solicit personally identifiable information from children.
- Unsolicited commercial E-mail should not be sent to children.
- Children should not be asked to release personally identifiable information about family members and other people they know.
- Free merchandise (or the chance to receive free merchandise) should not be promised to children in exchange for personally identifiable information.
- Children should not be asked to change the privacy preferences set by their parents.

For more information, contact:

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## Appendix 2

### Introduction

In March 1996, the Center for Media Education (CME) released its study, *Web of Deception: Threats to Children from Online Marketing*, documenting the sophisticated online techniques used by advertisers to capture the lucrative children's market. Since then, the number of children using online services has increased substantially--four million children ages 2 to 17 used online services in 1996--just as the number of branded environments designed for these young computer users has exploded.<sup>5</sup>

Together, with the Consumer Federation of America (CFA), CME has continued to monitor World Wide Web sites intended to seize children's attention. The findings contained in this analysis demonstrate that the advertising and marketing trends highlighted in the earlier study have not only continued, they have worsened. From toys to snack food, and from games to e-zines, virtually every company within kids' culture is vying for children's "mindshare."<sup>6</sup> Now, as then, advertisers and marketers are launching sites on the Web with the intention of building one-to-one marketing relationships with children.<sup>7</sup>

The collection of personally identifiable information from children is becoming more widespread. The multimedia tools being employed and developed by the advertising community have grown tremendously, giving marketers even greater opportunity to take advantage of children's vulnerabilities and willingness to talk about themselves.

### Scope of Analysis

The purpose of this analysis was to examine sites maintained by companies that market to children. While the Web is constantly growing in size and use, making it difficult to pinpoint a representative sample of commercial sites, this study focused on 38 sites commonly found on lists of popular places for children on the Web.<sup>8</sup>

Two basic questions were used to analyze each site: (1) did the site gather information from individual users? and (2) what statements did the site make about its information collection and use practices?

- **Information collection:** Sites were primarily checked for their use of active information solicitations from children. Although almost all of the sites offered visitors an opportunity to send an E-mail message to the company maintaining the site, such as, "Send your ideas, strategies, suggestions, and questions to Rich Uncle Pennybags today" as found on the Monopoly site, these "feedback" buttons were not the focus.

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<sup>5</sup> See "Boys/Girls: Online Paths Diverge" in *Digital Kids*, March 1997.

<sup>6</sup> John Hollar, Executive Vice President, PBS Online, used the phrase children's "mindshare" at a recent conference, Digital Kids, San Francisco, CA. June 4-5, 1997.

<sup>7</sup> "How to Collect and Capitalize on Online Kid Demographic Data," *Selling to Kids*, September 18, 1996. Weber, Jonathan. "Marketers Take a Major Look at Ads Aimed at Minors," *Los Angeles Times*, May 12, 1997.

<sup>8</sup> We made a careful effort to identify the largest companies marketing to children, using a variety of trade publications to guide our research. For example, see *The 1997 Online Kids Report* and recent issues of *Digital Kids*. Jupiter Communications. See also, recent issues of *Kidscreen*.

We also noted when sites employed "cookies," text files used to log an individual's use of a site.

- **Disclosure/legal statements:** We looked at "Terms of Use," "Official Rules," "Legal Statements," "User Agreements" and all other declarations of the sites' information policies. We noted not only the content of these statements but where they were placed on the site. Efforts to obtain parental permission were also documented.

## Trends

On the pages that follow, we have provided a listing of the 38 sites examined. In addition to narrative descriptions of the information collection practices and the disclosure/legal statements used by the sites, we have included copies of E-mail messages sent by the Web sites. We also have indicated the date we reviewed each site.<sup>9</sup>

While we found that each site possesses certain unique attributes, ranging from the graphical interface to the use of frames and plug-ins, several general characteristics can be made regarding their collection practices. Below are a number of trends that we have identified.

- Fully 90% of all Web sites examined actively collect personally identifiable information from children.
- No site obtains verifiable parental consent before collecting the information. In fact, only one in five asks children to "check with your parents before releasing information."
- Forty percent of sites use incentives, such as free merchandise, screensavers and sweepstakes, to encourage children to release information about themselves.
- Several sites use product spokescharacters to solicit information from children.
- One-fourth of sites send an E-mail message to children after their initial visit.
- Cookies were used by forty percent of the sites. Some sites asked to set as many as 12 cookies during a single visit.
- A third of the sites attempted to describe how the information, once collected, will be used by the company maintaining the site, though many of these statements were incomplete. More commonly, sites offered no statement about information collection and use.

In addition to the above trends, other disturbing practices posing potential threats to children's privacy raised the following questions: (1) How much personally identifiable information is being gleaned from children who use chat rooms, like those found on the Jamz site? (2) How much children's information is being collected at sites, such as HappyPuppy, that aggregate content offered by multiple companies? and (3) Are E-cards,

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<sup>9</sup> While we have made efforts to use consistent formatting, e.g. "E-mail" vs. "email," this was not always possible when quoting directly from text found on the Web as format varied from site to site.



and other electronic forms of communication enjoyed by children, used as information surveillance tools?

## **Recommendations**

During the Federal Trade Commission (FTC) Workshop held in June 1996, CME and CFA requested that the Federal Trade Commission issue guidelines for permissible industry practices regarding the collection and tracking of information from children on the Global Information Infrastructure and in Interactive Media. These guidelines are founded on two basic principles:

- Personally-identifiable information may be collected and/or tracked from children for commercial marketing purposes only if the collection and tracking practices are not deceptive; are fully and effectively disclosed; and valid parental consent is obtained.
- Aggregate and anonymous information may be collected and/or tracked from children for commercial marketing purposes only where the collection and tracking practices are not deceptive and are fully and effectively disclosed.

In light of these principles, all information collectors/trackers must comply with four requirements:

1) Disclosure must be full and effective. The disclosure notice must include:

- what information is being collected or tracked;
- how the information is being collected or tracked;
- how the information will be used;
- who is collecting the information; and
- who will have access to the information

2) Parental consent must be obtained. In order for the consent to be valid:

- the child must understand that s/he needs to get parent permission before proceeding and the parent must receive complete disclosure;
- access to those areas of the site where information is collected or tracked must be conditioned on receipt of valid parental consent; and
- the burden is on the collector/tracker to obtain valid parental consent through writing or other electronic mechanisms.

3) Parents must be able to correct information already collected about and from their children.

4) Parents must be able to prevent the further use of their children's information after it has been collected.

In light of the trends uncovered by our recent review of Web sites, CME/CFA called upon the FTC at its recent Workshop on Consumer Information Privacy, held June 10-13, 1997, to immediately issue the above guidelines. CME/CFA expanded the scope of these guidelines to include additional practices identified as a result of this analysis. All information collectors/trackers must comply with five additional requirements:

- Product spokescharacters and other mythical/fictional figures should not be used to solicit personally identifiable information from children.
- Unsolicited commercial E-mail should not be sent to children.
- Children should not be asked to release personally identifiable information about family members and other people they know.
- Free merchandise (or the chance to receive free merchandise) should not be promised to children in exchange for personally identifiable information.
- Children should not be asked to change the privacy preferences set by their parents.

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It is clear from the findings of this analysis and earlier research that children's privacy is at-risk. It has been over two years since the FTC began an investigation into children's privacy and the Global Information Infrastructure. Each week, while the FTC continued its deliberation, greater numbers of children were being asked by Web sites to release personally identifiable information. The FTC must create a clear set of enforceable privacy guidelines to protect children's privacy. These guidelines will help to ensure that children will benefit from the wealth of resources available online.

## Popular Children's Commercial Sites

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**Bonus.com**

**<http://www.bonus.com>**

**6/9/97**

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**Information collection:** On the homepage of the site there is a link that reads, "Register Now! For Special Bonus Features. It's Free!" When visitors follow this link, they reach a page that tells them, "Dear Visitor, You must be registered with Bonus.com to participate in upcoming contests and to use our special features. Any information you share with us is strictly private." After a listing of the benefits of registering, visitors are told, "SO DON'T WAIT! CREATE YOUR SCREEN NAME NOW!" The registration form allows multiple users to register at one time. Each registrant is asked to provide a screen name, gender and date of birth. The form also asks for one E-mail address, country and zip code and how the visitor(s) heard about the site. If the form is submitted without filling in all of the blanks, a window appears reminding visitors to complete a particular field. After submitting the registration form, visitors are asked who will be playing the games by listing all registered screen names.

After winning a game of "Tic, Tac, Stubbed Toe," players are told, "Congratulations on your win! Please enter your name in the Stubbed Toe Hall of Fame."

After registering at the site, visitors receive the following message:

Date: Mon, 9 Jun 1997 17:04:45 -0700  
From: Bonus User Account <bonus@manny.bonus.com>  
Subject: Welcome  
Apparently-To: yalda@cme.org  
To: yalda@cme.org

\*\*\* This is an automated message from Bonus.com \*\*\*

Thank you for registering with Bonus.com, the Supersite for Kids!

If you are new to our site, you may want to learn more about getting around the Bonus.com CyberWays. Visit our "help" section by clicking on the gold star in Bonus.com or going directly to this URL:

<http://www.bonus.com/etc/help/navigation/navigation.html>

Here are a few of the features exclusively for Registered Users:

- My Favorites (the red heart) lets registered users "bookmark" sites they want to visit again.

- Battlefield, our first multi-player game, lets registered users play with their own screen name while we store your rank for future play.
- From time to time, we will be sending you notice of new features and activities.

Once again, thank you for registering with Bonus.com, the Supersite for Kids.  
Visit us again soon!

Bonus.com, the Supersite for Kids  
<http://www.bonus.com>

**Cookies:** yes.

**Disclosure/legal statement:** At the bottom of the homepage, there is a statement that reads, "Please click here to see the User Agreement. Use of this site signifies your acceptance of use." Although the User Agreement is quite lengthy, no section of it pertains to information collection and use. The bottom of the registration form reads, "Kids, before giving out personal information, please check with parents. You can always delete or add to this information."

**Coca-Cola**  
<http://www.cocacola.com>

5/21/97

**Information collection:** The site has a lengthy survey that asks "(1) What was the last site you visited? (2) What's your favorite site on the Web? (3) What type of Web site do you visit most often? (4) How did you happen upon the World of Coca-Cola Web site? (5) Have you ever been to this site before? (6) How long ago were you here? (7) How many times have you been here? (8) What page or place in our site are you most loving? (9) What page or place in our site could you do without? (10) What do you want more of?. (11) Where are we on the site-o-rama? (12) What kind of system are you on?" and other computer-related questions. The last two questions ask for age and gender.

The "Soda Fountain" section asks weekly queries. For example, on May 21, 1997, the question posed was, "If your car could speak, what kind of personality would it have?" Respondents are asked their name, E-mail address and to share their "wit and wisdom." "This Week's Plums" is a listing of responses ostensibly enjoyed by Coke.

Cherry Coke's "The Wall" tells visitors to "Regurgitate your favorite hURL's." Visitors are asked to submit their E-mail address along with addresses of their favorite sites.

The "On-Line Sweepstakes" asks visitors to supply their name, E-mail address and mailing address either electronically or via postal mail.

**Cookies:** yes.

**Disclosure/legal statement:** There is no disclosure/legal statement attached to the survey specifically, however, the general legal statement (found by clicking a gavel icon at the bottom of many pages) reads: "Any communication or material you transmit to the Site by electronic mail or otherwise, including any data, questions, comments, suggestions or the like is, and will be treated as, nonconfidential and nonproprietary. Anything you transmit or post becomes the property of The Coca-Cola Company or its affiliates and may be used for any purpose, including, but not limited to, reproduction, disclosure, transmission, publication, broadcast and posting. Furthermore, The Coca-Cola Company is free to use any ideas, concepts, know-how, or techniques contained in any communication you send to the Site for any purpose whatsoever including, but not limited to, developing, manufacturing and marketing products using such information."

Additionally, the bottom of the "Soda Fountain" page reads, "Once again, everything you send becomes the property of The Coca-Cola Company. Got an idea? Keep it to yourself. This is not the place to be dropping off unsolicited advice."

### **Colgate Kids World**

**<http://www.colgate.com/Kids-world>**

**5/21/97**

**Information collection:** To enter the "No Cavities Clubhouse," users are asked to type their name and a password, which is provided on the first page. If visitors leave the blank for name unanswered, the user still advances to the next page.

The "Tooth Fairy®" section of the site asks "Lost a tooth? Visit this location to get a special message from the Tooth Fairy!" Visitors are told to "Fill in the blanks below, get a good nights sleep, then check your E-mail tomorrow for a message from you-know-who." The blanks include requests for the visitor's name, E-mail address and age. The submit button for this form reads "Put Your Tooth Under Your Pillow." A day later, visitors receive an E-mail message:

Dear kaitlyn strong,

Hi! I got your E-mail. I'm the Tooth Fairy . . . and I watch over your baby teeth.

So, you've lost a baby tooth. That means you're growing up! It also means that now its up to you watch over your grown-up teeth.

You need to take care of those new teeth coming in. They are yours for the rest of your life! Here are some of the tips I've learned, hopefully they'll help you too! Don't forget to brush your teeth at least twice a day with fluoride toothpaste. And visit my friend the dentist every year . . . that's really important! And my last advice is to limit your snacks. Healthy snacking is good . . . but don't snack all the time!

Now, it's up to you. Good luck! If you follow my advice, you'll help to keep your teeth healthy and your smile shining bright!

Keep smiling!

Your friend the Tooth Fairy

**Cookies:** yes.

**Disclosure/legal statement:** On the "Tooth Fairy" page, there is a link, "Legal Statement." The part of the legal statement that pertains to information collection practices reads, "The communications and material you send to [www.colgate.com](http://www.colgate.com) or to Colgate by Internet electronic mail are on a non-confidential basis with no promise by Colgate not to use or reproduce these for any purpose whatsoever. Colgate shall be free to use any ideas, concepts, know-how or techniques contained in such information for any purpose including developing, manufacturing and marketing products. Any information you send to [www.colgate.com](http://www.colgate.com) must be truthful, and not violate the rights of others and be legal."

**Crayola**

<http://www.crayola.com>

5/21/97

**Information collection:** The Crayola Canada site contains a message board covering the topic of favorite hockey memories. Before posting a message and its subject, visitors are asked their name and E-mail address.

Visitors are invited to send their artwork via postal mail to the "Crayola Playground Gallery." They are instructed to "Write your name on the back of your illustration in pencil, along with your date of birth, complete address and phone number, and a parent or guardian's signature so we know you have permission to enter the drawing. Send your entry to: Crayola Playground Gallery, P.O. Box 309, Whitehall, PA 18052-0309."

The site also invites children to participate Crayola's "Search for True Blue Heroes." Entries for this contest must be submitted though postal mail.

**Disclosure/legal statement:** There is no disclosure/legal statement pertaining to the message board postings. Regarding the artwork submissions, children are told, "All artwork will become property of Binney & Smith, Inc. and cannot be returned. Those kids whose work is selected for the Playground Gallery will be notified via U.S. mail."

The official rules of the "Heroes" contest include the statements: "Submissions will become the property of Binney & Smith and will not be returned"; and "Entry constitutes permission to use winners' (and guests of winners') names, likenesses and entry for publicity purposes without further compensation except where prohibited by law."

**Free Zone**  
<http://freezone.com/>

6/2/97

**Information collection:** The FreeZone Safety Survey asks visitors about their experiences using this site. This includes whether they feel safe using FreeZone, how often they see things that make them uncomfortable in chat or in E-mail, if they have ever received a bad message through E-Pals, etc. Visitors are also asked if they visit any other children's sites on the Internet and how FreeZone compares to them safety-wise. This survey requests users' FreeZone name, age, gender, E-mail and asks whether they would like to be contacted by FreeZone.

**Disclosure/legal statement:** There is no formal legal statement pertaining to information collection practices. FreeZone states that it is not "responsible for any interactions that take place outside of FreeZone's pages as a result of the exchange of E-mail addresses, Internet addresses, or any other information within FreeZone's interactive pages.

**Frito Lay**  
<http://www.fritolay.com>

6/2/97

**Information collection:** In Frito Lay's DreamSite, a survey called "Watcha Thinkin?" asks visitors questions varying from how they heard about the site to what magazines they have read in the past month. Questions include where visitors have access to the Web, how many hours they spend on the Internet, how this site compares to others, and what sites they visit most frequently. Visitors are asked how often they consume a variety of snacks ranging from pretzels to potato chips. This survey also requests gender, marital status, number of people in household, name, address, E-mail address, birthday and whether visitors would be willing to receive E-mail updates about the Web site and/or products.

**Disclosure/legal statement:** On the "DreamSite" page, there is a link, "Legal Bug." The section of the legal statement pertaining to information collection practices reads, "If you don't want the world to know something, don't post it on the site in any bulletin board or anyplace else. That's because anything you disclose to us is ours. That's right--ours. So we can do anything we want with the stuff you post. We can reproduce it, disclose it, transmit it, publish it, broadcast it, and post it someplace else. We can even send it to your mother (as soon as we find her address). Not only that, we can even use any ideas, concepts, know-hows, or techniques you post any way we want to, including developing, manufacturing, and marketing products, or other stuff using the information you post."

**Gatorade**  
<http://gatorade.com>

5/19/97

**Information collection:** In promoting its new line of drinks, "Gatorade Frost," the site solicits first name, last name, street address and E-mail address. Visitors must submit this information in order to be eligible for the "Colors of Cool" Sweepstakes. Participants also are asked if they have ever tried Gatorade Frost and to select their favorite flavor. Winners receive in-line skates and other gear.

**Disclosure/legal statement:** There is a lengthy statement pertaining to the rules of the sweepstakes but no part of it relates to information collection and use.

**General Mills Your Rule School**  
<http://www.yourruleschool.com>

5/21/97

**Information collection:** All visitors are asked to submit a nickname.

**Disclosure/legal statement:** Apart from trademark and license information, no part of the disclosure/legal statement addresses information collection practices.

**Glossy**  
<http://www.glossy.com>

6/10/97

**Information collection:** One of eight links on the main page of the site reads, "be a Glossy Girl." After following this link, visitors see a page that reads, "The best way to Get In with the Glossy Girls is to become a Glossy Girl. What do I have to do, you ask? Not much. Just gossip with us about yourself and you'll get your FREE GLOSSY MIRROR COMPACT right off the bat, and down the road, free Glossy E-MAIL and other Great Glossy Givaways!!!" The registration form continues, "Ok, you know how to play 20 questions, right? Just provide the A's to our Q's, oh future Glossy one. Here goes: (1) Hi, Our name is The Glossy Girls. What's yours? (2) Where should we send your email? (3) When it comes to email do you: have your own private mailbox (thank you very much!)? share and share alike? (4) Where should we Glossy Girls send your groovy gift? (There are blanks for full mailing address.) (5) During which month were you born? (6) And on which date did that glorious event occur? (7) What year was that, if you recall? (8) If all goes according to schedule, when will you graduate high school? (9) Search your soul and tell us, why do you surf the web? (10) In your world, what are the three most kicking sites on the www? (11) When not on GLOSSY, which girlie-girl mags do you flip through? (12) With which service(s) do you choose to cruise? (13) Your hills are alive with the sound of what type of music? (14) What's your game? (15) What floats your boat, future Glossy Girl? (16) Are you one of the lucky gals who has access to a scanner? (17) Which celebrity do you want us to hunt down and interview? (18) What's



your favorite color? (19) What is your favorite thing to do on a Saturday? (20) Are you glad that 20 questions is finally over?"

**Cookies:** yes.

**Disclosure/legal statement:** There is no disclosure/legal statement.

### **Hasbro's Action Man**

**<http://www.actionman.com>**

**5/12/97**

**Information collection:** In the "guestbook" section, also known as "New Agent Registration," visitors are asked to supply name, E-mail address, comments and country. This same information is requested at the "Secret Communications" page.

**Cookies:** yes.

**Disclosure/legal statement:** There is a legal statement but it does not address the site's information collection policy. The "Agent Response" Q&A section includes the same legal statement at the bottom of the page, and, in keeping with the fictional world of action heroes and secret missions, it includes the statement, "Treat all information from Central Control as level 4 security risk."

### **Hasbro's Battleship**

**<http://www.hasbro.com/battleship>**

**5/12/97**

**Information collection:** Visitors are instructed in the "Battleship Online Play Registry" to "Enter your name, e-mail address, preferred time to play, and your skill level into the Battleship Player Registry. Once you're registered, you'll be a member of an exclusive list of other players who own the Battleship CD-ROM. Register now!"

**Disclosure/legal statement:** There is a lengthy statement pertaining to liability and other terms of use but no part of it relates to the collection and use of personal information.

**Hasboro's Monopoly**  
**<http://www.monopoly.com>**

**5/12/97**

**Information collection:** Under a heading marked, "Requested Remarks," visitors are told, "We want to get to know our property owners better. Who you are. What you like. And what would make your web experience richer. Take a moment and fill out our brief questionnaire." The questionnaire asks for gender, computer information (access capability, browser, speed), opinions about the Monopoly Web site, whether visitors own the Monopoly board game and CD-ROM and the factors that influenced these purchases and whether visitors play on the Internet.

**Cookies:** yes.

**Disclosure/legal statement:** Their, is a lengthy statement pertaining to liability and other terms of use but no part of it relates to the collection and use of personal information.

**Ingenius KidStation**  
**<http://www.ingenius.com/kids>**

**6/10/97**

**Information collection:** One of six links on the homepage is "Weekly Poll." The poll on June 10, 1997, covers the topic of school uniforms. The poll asks visitors to submit first name, last name (optional), age, gender and E-mail. The poll also asks "Are school uniforms cool or cruel?"

**Disclosure/legal statement: :** There is no disclosure/legal statement.

**Jazzy Girls**  
**<http://www.jazzygirls.com>**

**6/8/97**

**Information collection:** Girls are required to join the "Jazzy Girls Club" in order to use the site. The registration form asks for first name, last name, E-mail address, age, hometown and state.

**Disclosure/legal statement:** The registration form explains that, "It's easy to join the club, but you first must have your parent/guardian's permission. You have our guarantee that your personal information will go only to the people here at Binney and Smith, maker of Jazzy products, and to the agency producing this site. The information will only be used to allow us to create content that is geared towards the girls in the club. Your name and other personal information won't be shared with anyone else." There is no mechanism to verify that parental permission was obtained before a girl completes the form although each girl is asked to click on a "yes" or "no" button after the statement "I got my parent's permission before joining."

**Information collection:** Under the heading "Jelly Belly Online Highlights," on the homepage of the site, the first link reads "Free Jelly Beans/Survey." Visitors are told, "Every day we give away 500 samples of Jelly Belly jelly beans just for filling out a little survey." When visitors follow this link, they are told on the next page to "Spill the Beans for Free Jelly Belly Beans. Just complete this short survey and Mr. Jelly Belly will send you a free sample of Jelly Belly jelly beans. One sample per address. A complete survey is required to receive your free sample. Sorry, offer good for U.S. addresses only (at this time). Please allow 3 to 4 weeks for delivery. Please be aware that any information you provide becomes the property of Herman Goelitz, Inc. Offer good for first 500 participants each day." The survey asks first name, last name, street address, apt. number, city, state, zip code, E-mail address. Additionally, visitors are asked, "Are you interested in receiving occasional e-mail from Mr. Jelly Belly -- such as new Jelly Belly jelly bean flavor and product announcements, seasonal offers and other gift items?" Under a section marked "Personal Stuff," visitors are asked their age, gender and "How did you find out about Jelly Belly Online?" Under a section marked, "Consumer Research," visitors are told, "Mr. Jelly Belly wants to know a little bit about you to help us create new products that appeal to everyone." Visitors are asked: "(1) Have you already heard of Jelly Belly jelly beans? (2) Have you ever tried Jelly Belly jelly beans? (3) If you have tried Jelly Belly jelly beans, where did you make your most recent purchase? (4) Would you consider purchasing special Jelly Belly jelly bean products from this online service?" Under a section marked, "Product Research," visitors are told, "Here's your chance to help Mr. Jelly Belly figure out which flavors you like best." They are then asked, "(1) Which of our 40 Official Jelly Belly Flavors are your favorites? (2) Mr. Jelly Belly is always working on new flavors. How would you rate these flavor ideas on a scale of 1 (yuk) to 10 (awesome)? (Eight flavors are presented.) (3) Here's your chance to change the world - if you could create a new flavor, what would it be? (Answering this question is optional)." At the end of the survey, visitors are told, "Thanks for your time -- Your free sample of Jelly Belly jelly beans will be mailed. Expect delivery in 3 to 4 weeks."

**Cookies:** yes.

**Disclosure/legal statement:** At the bottom of the homepage, there is a link that reads, "Here's more legal stuff." The fourth rule under "Top Ten Rules for Cybersurfers who hang out on our site" reads, "If you don't want the world to know something, don't post it on the site in any survey, form, bulletin board or anyplace else. That's because anything you disclose to us is ours. That's right -- ours. So we can do anything we want with the stuff you post. We can reproduce it, disclose it, transmit it, publish it, broadcast it, and post it someplace else. We can even send it to your mother (as soon as we find her address). Not only that, we can even use any ideas, concepts, know-hows, or techniques you post any way we want to, including developing, manufacturing, and marketing products, or other stuff using the information you post." Before submitting the survey, visitors are told, "Please again note that any information you give us becomes the property of Herman Goelitz, Inc. as described in that really dull section known as 'The Legal Page.'"

**Kelloggs**  
<http://www.kelloggs.com>

6/9/97

**Information collection:** On the homepage of the Kellogg's Cereal City USA, next to an icon that reads, "Please," visitors are told, "Post your e-mail address heir, if you want to be notified when we give a major facelift to the site. Kids under 12, make sure you ask your parents before giving out your E-mail address!"

**Cookies:** yes.

**Disclosure/legal statement:** On the homepage, visitors are told, "If you have entered your E-mail address previously, and would like to remove it from our mailing list, please enter it below." Nothing more is said about information collection and use.

**KidsCom**  
<http://www.kidscom.com>

6/11/97

**Information collection:** At the bottom of the homepage is a link, "Register." Next to it is the statement, "Register here with KidsCom if you want to post anything to the site or if you want to earn points for things in our Loot Locker." The top of the registration form informs visitors of the following: "To keep KidsCom a safe place for kids around the world to play, we ask you to register if you want to write content for the site, contact other kids, chat on-line or earn points for the KidsCom Loot Locker. You don't have to register to explore the rest of KidsCom, but there will be a few areas where your access is limited if you don't." The form asks for first name, last name, birthdate, gender, number of household members, favorite television show, favorite television commercial, favorite musical group, interests, from where the visitor has access to the Internet, how visitors learned of the KidsCom site, E-mail address, parent/guardian's E-mail address, city, state, zip code, whether the visitor's computer has a CD-Rom drive, what kind of computer the visitor has, speed of Internet connection, who the visitor wants to be in the future, where the visitor would like to live, into what the visitor would shapeshift, and the first name, last name and birthdate of the registered KidCom child (if any) who introduced KidsCom to the visitor.

Additionally, visitors are asked to voice their opinions in another section of the site. They are told, "It's your turn to tell the world's leaders what's important to you." Visitors pick one of six messages to send electronically to national leaders or organizations. Along with their selections, visitors are asked for gender, age and country.

The "Kids Kash Questions" section of the site periodically solicits information from visitors. On June 11, 1997, visitors who followed the link "Kids Kash Questions" were told, "New Kids Kash Questions will appear here soon!" The "Loot Locker" explains that "Kids Kash Questions" are worth five to 15 points. All other activities are worth five or 10 points.

**Disclosure/legal statement:** After the registration form explains why visitors need to register, there is the following statement: "Remember that your on-line safety is really important to us. Make sure you don't give out personal information about yourself unless you first have your parent's permission. And don't worry - we don't rent or sell your information to anyone. Be sure to have your parents read the informational letter (link) about KidsCom. After you register, check out Iggey and Rasper's Internet Safety Game." A significant portion of the information letter is under the heading, "On-line safety." It reads: "There's been a lot of talk recently about the safety and privacy of children on the Internet. We agree that this is an extremely important issue and needs to be heartily discussed. It's a discussion where KidsCom has been both a target and a vocal participant.

Anyone can visit and observe KidsCom. But in order to participate on the site, we require registration. When registering, we ask kids to give us their name, birthdate, city/state/zip code and e-mail address, as well as other fun facts that kids have asked us to include. We also ask for the e-mail address of each child's parent or guardian so that we may send them a brief note once registration is completed. This is done as a courtesy to keep parents and guardians aware of their children's on-line activities. We do not ask for home street addresses, telephone numbers, names of schools or any other information that could jeopardize their safety. Registration is done for three reasons:

- We use the information to connect kids with other children around the world for our unique Key Pal program. The match that is found, based on individual interests and hobbies, is returned with only geographic information about the potential Key Pal, an e-mail address and some of those fun facts the kids have asked us to include. This information is given out just one child at a time, thus avoiding someone trying to get a large amount of names at once.
- Because our site allows users to write content -- not just read it -- we need to have some user information as a security measure. If inappropriate or questionable material is posted on the site, we need to be able to track down the individual and, if necessary, block them from posting content on the site.
- We use the registration to track points kids accumulate by playing educational games, by getting their parents and teachers on-line or simply by returning to the site. The points can be cashed in at our Loot Locker, a stash of fun things contributed by a variety of companies.

On-line safety is so important to us, that we've created our own Internet safety tips and good on-line habits. Kids are even invited to play Iggey and Rasper's Internet Safety Game to re-enforce the tips. They will also get KidsKash points to earn loot from the loot locker.

We also ask kids for information in our research area, called KidsKash Questions. This is an optional area -- just one of 14 total areas on the site. It's where we put up questionnaires on social, educational and marketing issues. Kids are not required to fill out the questionnaires to enjoy any other part of the site. And its not the only way for them to earn points. We also tell kids to get their parents' permission to fill out this form for the very reason that we want to make sure that no one feels their child is sharing information without their knowledge. The responses help us guide the development of KidsCom's content and let us understand the issues that are on kids' minds.

Our KidsKash questionnaires also help other companies learn about kids. The results of any surveys we do with kids -- whether for ourselves or for others -- are always reported in general or aggregate terms. For example, we will not release an individual's response like 'Suzie Smith says this.' Instead, we report that 10 year olds feel one way while 7 year olds think something else. We never break down the information to a point where individual children could be identified.

We do not release, sell or in any way provide the names or identities of KidsCom kids to any kids marketers. We do not now and we never have."

### **KidStar**

**<http://www.kidstar.com>**

**6/10/97**

**Information collection:** One of four main links on the homepage encourages visitors to join the "All-Star Club." After following this link, visitors are told, "Do you want more information about becoming an All-Star? Just click here and send us an e-mail. Please be sure to give us your full name, e-mail address, and street address with zip code so we can send you an All-Star registration form."

Additionally, visitors are invited to enter several contests. "Contest #1: Beetleborg Fright Night Adventure" asks visitors to complete a story in 100 word or less. They are asked to submit their entries by E-mail message, postal mail or fax, and to include name, address, age and phone number. Entries for the second contest can only be submitted via postal mail and another contest was no longer active.

**Disclosure/legal statement:** There is a parenthetical note after visitors are told how to join the "All-Star Club" that reads, "Make sure you tell your parents what you're up to!"

Additionally, in the middle of the contest page, there is the following statement: "All entries become the exclusive property of KidStar Interactive Media, Inc. Remember - include your name, age, address, and phone number on all entries."

On the bottom of the contest page in a font size that is difficult to read, there is a statement, "Stuff our lawyers made us say." It includes the following: "You must be 14 years old or younger and have parental or guardian permission to participate" but it does not address information collection and use.

### **Konami**

**<http://ww.konami.com>**

**6/3/97**

**Information collection:** In the "What's New" page, visitors can enter to win a free Konami game by filling out a survey. The survey requests name, E-mail, age, gender and mailing address. Other questions include the type of game system visitors have, favorite types of games, and visitors' three most frequently visited Web Sites. After submitting the form, a personalized message appears reading, "Thank you for filling out the survey. Good luck in the contest, (visitor's name)!"

**Cookies:** yes.

**Disclosure/legal** statement: There is no disclosure/legal statement.

**M&M Studios**  
**<http://www.m-ms.com>**

**5/27/97**

**Information collection:** Visitors are told to "Subscribe to the E-mail edition of The Hard Shell -- the official newspaper of the "M&M's" Studios™ -- and you'll get the latest updates from the land where rich milk chocolate meets the glitter of showbiz. Whether its a new attraction on the studio lot or the latest gossip on your favorite candy-coated celebrities, you'll know instantly -- with the latest stories sent directly to your E-mail address." To subscribe, visitors must fill out a form that asks for name and E-mail address. After subscribing, visitors are sent the following E-mail message:

Date: Tue, 27 May 1997 18:03:57 GMT  
To: sp@cme.org  
From: Majordomo@interactive8.com  
Subject: Welcome to hardshell-list  
Reply-To: Majordomo@interactive8.com

--

Welcome to the hardshell-list mailing list!

A WELCOME MESSAGE FROM RED

Just a quick note to say "thanks!" for subscribing to THE HARD SHELL -- the official newsletter of the "M&M's" Studios(tm)!

It's always great to hear from my fans, and you can be sure that I'll be trying extra hard to get my name in THE HARD SHELL over the next few months -- as a special favor to you, my fans!

Oh -- and I realize that some of you may want to know about Yellow, Blue and Green. I'm sure you'll be seeing plenty of them, too.

You'll be receiving your first issue soon -- but until then, be sure to visit the "M&M's" Studios(tm) at

<http://www.m-ms.com>

We'll be waiting for you!

Sincerely,

Red.

P.S. If you ever want to end your subscription, go to <http://www.mms.com/email/unsubscribe.html> for more instructions.

Visitors also received a second message about a week later:

Delivered-To: majordom-og-hardshell-list@p60.interactive8.com  
Delivered-To: hardshell-list-outgoing@p60.interactive8.com  
Date: Tue, 03 Jun 1997 17:33:30 -0400  
From: Postmaster <postmaster@m-ms.com>  
MIME-Version: 1.0  
To: hardshell-list@m-ms.com  
Subject: Breaking News from the "M&M's" Studios(tm)  
Sender: owner-hardshell-list@m-ms.com  
Precedence: bulk

\*\*\*\*\*  
\* THE HARD SHELL \*  
\* Special E-mail Edition \*  
\*\*\*\*\*

Breaking News from the "M&M's" Studios(tm)  
<http://www.m-ms.com>

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IMPOSTERS CORNERED ON STUDIO GROUNDS!  
Small, Boring Candies Caught Grey-Handed!  
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TO GET THE WHOLE STORY...

...plus the latest in digital candy,  
brightly-colored baking and much more...

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VISIT THE "M&M'S" STUDIOS(tm)  
<http://www.m-ms-com>  
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to unsubscribe please see  
<http://www.m-ms.com/E-mail>  
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As part of the M&M's "Imposter Hunt," users are presented with "A MESSAGE FROM "M&Ms" STUDIOS™ SECURITY." It reads: "The time has come to be honest with ourselves: if we're going to catch the Imposters, we're going to need all the help we can get. That's where you come in. We at the security department have put together a special "M&M's"® Imposters Wanted Poster, designed to be transmitted over the Internet. We need you out there to make sure this important document finds its way into as many hands as possible. To that end, we've designed the form below. Using it is simple: fill out the name and email address of a friend, as well as some information about yourself. Click on the 'Enter' button, and we'll notify your friend that a special copy of this Wanted Poster is waiting to be picked up here at the studios. All he or she needs to do is drop by the security



office to pick it up." After filling out the form, the visitor's friend receives the following E-mail message:

Date: Tue, 27 May 1997 14:21:56 -0400 (EDT)

To: sp@cme.org

From: <yalda@cme.org>

Subject: Help us find the Imposter!!

\*\*To properly decode this message, please be sure to set your email font to either Courier or Monaco.\*\*

Urgent bulletin from "M&M's" Studios(tm) <http://www.m-ms.com/imposter/imposters/>

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Wanted  
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GRAPHIC"

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Name: Gray

Alias: Imposter "M&M's" (reg)

Height: 0.6 inches tall

Weight: 0.9 grams

Distinguishing Characteristics: Round male. Known to wear a gray coat with no apparent "M" on it.

Last Seen: Sneaking into a bag of "M&M's"(reg) Chocolate Candies.

Offenses: Defamation of the "M&M's"(reg) Characters. Killing the life of a party. Suspected of boring people to death.

Reward: Up to \$1,000,000.

If apprehended, present "Instant Winner" game piece on the bag he came in to obtain reward.

Urgent bulletin from "M&M's" Studios(tm) <http://www.m-ms.com/imposter/imposters/>

**Disclosure/legal statement:** On the home page, there is a link that reads, "And now, a word from our lawyers..." but the legal statement does not include a privacy policy nor specific statements about information collection and use.

**McDonald's**  
**<http://www.mcdonalds.com>**

**6/2/97**

**Information collection:** On the "Feedback" page, visitors are asked questions about the site, such as how many times they have visited it and what they like best. Next they are asked questions about their eating habits. This includes how many times they eat fast-food during a month, at what other restaurants they eat, and the exact number of times they have eaten at McDonald's within the last month. This page also requests age, gender, city, state, and country.

In the "Write to Ronald" page, visitors are asked to fill in the blanks and write a letter to Ronald. The blanks include first name, grade, favorite McDonald's food item, favorite sport, favorite sports team, and favorite book.

**Cookies:** yes.

**Disclosure/legal statement:** A note at the top of the "Write to Ronald" page reads, "Parents: this page is for fun only. The information given is used solely to respond to the participant. The information is not retained by McDonald's." On the homepage, however, a sentence reads " If you're interested in the fine print, now is an opportunity to check it out." Clicking on the words "fine print" will bring you to "McDonald's Internet Site Terms and Conditions." The section pertaining to information collection reads: "All remarks, suggestions, ideas, graphics, or other information communicated to McDonald's through this site (together, the "Submission") will forever be the property of McDonald's. McDonald's will not be required to treat any Submission as confidential, and will not be liable for any ideas for its business (including without limitation, product, or advertising ideas) and will not incur any liability as a result of any similarities that may appear in future McDonald's operations. Without limitation, McDonald's will have exclusive ownership of all present and future existing rights to the Submission of every kind and nature everywhere. McDonald's will be entitled to use the Submission for any commercial or other purpose whatsoever, without compensation to you or any other person sending the Submission. You acknowledge that you are responsible for whatever material you submit, and you, not McDonald's have full responsibility for the message, including its legality, reliability, appropriateness, originality, and copyright."

#### **Microsoft Kids Web Site**

**<http://www.microsoft.com/kids>**

**6/3/97**

**Information collection:** On the homepage of the site, there is a link, "Guest book." Following this link takes visitors to a page that asks for name, age, sex, address, what activities they like to do on-line, how they found out about this site, other sites they visit often, favorite computer game, and whether a Microsoft representative can contact them over the phone. There is a space for telephone number if the answer is yes.

**Disclosure/legal statement:** At the bottom of the Microsoft Kids page, there is a link, "Legal Notices." The statement does not address information collection and use.

#### **Nabisco Chips Ahoy**

**<http://www.chipsahoy.com>**

**6/3/97**

**Information collection:** Visitors are asked to find the most creative way to confirm that there are 1,000 chips in every bag of Chips Ahoy. \$25,000 in scholarships and other prizes are being awarded to the winners.

**Disclosure/legal statement:** The following statements are taken from the Chips Ahoy! 1,000 Chips Challenge Rules & Regulations: "(1) All entries become the sole property of

Nabisco Inc. which may edit, modify, publish, promote or use them in any way for any purpose without contestant's permission. (2) All contestants and winners will release the Sponsors from all liability in connection with the contest and prize packages and grant the Sponsors (and anyone the Sponsors may authorize) permission to use contest entrants' and winners' names, photographs and submitted materials without prior consent or compensation."

## **Nabisco Kids**

**<http://www.nabiscokids.com>**

**6/2/97**

**Information collection:** To get a downloadable Chips Ahoy! screensaver, visitors are asked to send in their views about what they think is cool, their favorite tv show, favorite hobby, favorite meal of the day, favorite time to snack, etc. They are also asked their gender and age.

Disclosure/legal statement: At the bottom of the home page, there is a link, "A Message for Parents." The following legal statements represent the sections that pertain to information collection: "(1) Policy for Gathering Information from Kids on the Internet: In communicating directly with minors, Nabisco recognizes the unique capabilities of the internet and will take steps as spelled out in the following to insure that its ethical and fair practices are extended into this medium. Since this is a new area for us, we will examine all safeguards on an ongoing basis; (2)Gathering Techniques: All identifiable information obtained will be on a totally voluntary basis. Nabisco will not require identifiable information to gain access to any part of its internet site. Nabisco will make every attempt to identify minors through an age screen where identifiable information is gathered. Parental permission will be flagged as a requisite before identifiable information is given. Respondents will be told of the potential uses of identifiable information and will be given an opportunity to both opt in as well as opt out when any identifiable information is gathered; (3)Use of Information: Nabisco will use gathered information in the development and execution of marketing programs, fulfillment of offers, and to communicate news on Nabisco. This information will not be sold or rented to third parties. Nabisco will always seek to involve a responsible adult and any direct selling efforts will be clearly identified as such; (4)Security: Nabisco has undertaken to make all information received via the Internet as secure as possible against unauthorized access. Data received at our Website is moved and stored on a separate system. All information is protected by two levels of security, (operating system and database security). Nabisco undertakes periodic auditing of its computer security by third parties to ensure state-of-the-art security technology."

**National Basketball Association**  
**<http://www.nba.com>**

**6/3/97**

**Information collection:** The NBA Interactive area contains chats, polls, e-mail and games. The site allows visitors to E-mail teams and players with questions and comments. To submit an E-mail message, visitors are asked to submit the following information: name, city/state/province, country and E-mail address.

Additionally, NBA "Special Delivery" allows visitors to receive weekly E-mail from the NBA.

"Special Delivery" includes Web site highlights, such as upcoming chat events, polls and interactive games; previews of a key matchup each week; notes and facts from around the league; excerpts from upcoming features on NBA.com. The "Special Delivery" form requests the following information from visitors: full name, E-mail address, complete mailing address, telephone number, favorite team and age.

The NBA Store, where visitors can purchase NBA merchandise online, requires them to submit the following information: full contact information (including E-mail address), payment information and shipping information. Visitors can also sign up to receive a free print catalog from 1-800-PRO-TEAM by sending an E-mail message with the following information: full name, company (\*if applicable), mailing address, E-mail address and telephone.

**Disclosure/legal statement:** Before completing any online transaction, however, the user must agree to the NBA Store terms of service, which mention that Starwave "may give notice to customers by means of a general notice on NBA store, electronic mail to customers e-mail address on record in Starwave's account information, or by written communication sent to customer's address." There are no other disclaimers/legal statements that pertain to information collection and use.

**Nick**  
**<http://www.nick.com>**

**6/10/97**

**Information collection:** One of the first pages of the site presents three buttons: "Make My Nick," "Already Nickified" and "Nick Guest." Clicking on the first button takes visitors to a registration page that asks for Nickname, password, E-mail address and current time where they live. Next, visitors are told how to set a shortcut on their desktop using their Nickname.

The "Powered by Your Sweepstakes" tells visitors, "To celebrate the launch of our brand new Web site, we're giving away tons of prizes! The Grand Prize Winner will get to design his or her very own Home Page, with help from Nickelodeon, AND s/he'll get a Destination (TM) BIG SCREEN PC/TV equipped with a Digital Camera, Color Printer AND a free 1 year subscription to AOL. To check out the other stuff you can win, including gift certificates to GapKids, go to the 'Prizes' page. Many will enter, but few will win!" The entry form reads, "So you wanna enter the Nickelodeon Online Powered by You

Sweepstakes, huh? Well, the first thing you need to do is ask your parents for permission. After that, scroll down and carefully fill out the entry form below. It's important that we're able to contact you if you win!" The survey form asks for E-mail, first names, last name, age, gender, street address, city, state, zip code. The second half of the form reads, "What? More stuff to fill out? Well, you don't have to fill out the form below to enter the Nickelodeon Online Powered By You Sweepstakes. We're just trying to learn more about the things you like, so we can think of new stuff you'll like to do here at Nick.com. Thanks for your help!" The following yes/no questions are asked: "(1) Do you have any pets or animals? (2) Do you play any sports? (3) Do you like to paint or draw? (4) Do you play games online? (5) Do you like outdoor activities (swimming, biking, etc..)? (6) Do you like collecting (stamps, comics, coins, etc ... )?" The bottom of the form reads, "To submit your entry, click on the submit button. If you have already done so and decide you would like to withdraw your information (making you ineligible for any prizes unless you start again), click here and send us an e-mail. Thanks!" There is a separate page devoted to a description of the prizes.

Additionally, when visitors follow a link that says, "What Now" they are taken to a page that describes the following scenario: "You pick up "Jenny's diary" and start reading. Suddenly, your teacher calls on you and asks you to read aloud whatever you're holding in your hand! You..." Visitors are asked to pick one of the following: "(1) Read the section in front of you; (2) Act sick and ask to be excused; (3) Pretend you're reading something else; (4) Turn in the diary." At the bottom of the page there is the word, "Advertisement" the connection between this word and the content is not explained.

To receive a free trial copy of Nickelodeon Magazine, visitors must send via postal mail, a form that includes the child's name, mailing address and parent's signature.

In the upper-right-hand corner of the homepage, visitors are able to personalize the logo that appears in that space. After choosing the color and shape of the logo, it appears with the visitor's Nickname inscribed across it.

**Cookies:** yes.

**Disclosure/legal statement:** There is lengthy list of rules for the sweepstakes but none of them pertain to information collection practices and use.

**Nick-At-Nite**

**<http://www.Nick-At-Nite.com>**

**6/3/97**

**Information collection:** A link on the homepage reads, "Tell us about you and maybe win a prize." This brings the user to the TV Land Web Survey, which asks questions about household income, how the user found the site, why the user surfs the web, whether the user has cable, favorite tv shows, etc. Name, address, E-mail address and age are optional. There is no mention of a prize on this page or after filling out the survey.

**Disclosure/Legal Statement:** A sentence at the top of the survey page reads, "All information gathered will be used for internal purposes only and will be kept strictly confidential."

**Nintendo**  
**<http://nintendo.com>**

**6/3/97**

**Information collection:** The "Loud House" is restricted to Nintendo members only. Visitors must submit an E-mail message to the Loud House to request membership information. They are told, "Like what you see? If you would like to be notified when the Loud House is accepting applications again, E-mail loudhouse@nintendo.com. Membership is free!" Registration when activated, involves submitting the following information to Nintendo: name, password, birthdate, E-mail address and gaming preferences (action, street fighting, role playing, adventure, puzzle, etc.).

**Disclosure/legal statement:** There is no disclosure/legal statement pertaining to information collection and use.

**Oscar Mayer CyberCinema**  
**<http://www.oscar-mayer.com>**

**6/3/97**

**Information collection:** Clicking "survey" on the homepage brings visitors to "Tell us What You Wanna See." This page asks visitors to rate items that interest them the most. Categories include interface features, product & recipe suggestions, promotions, and education and information. There is a section for visitors to make suggestions concerning the site.

The "Jam with the Pros" page promotes an instant win game. An official game message can be obtained by sending a self-addressed, stamped envelope.

**Disclosure/legal statement:** There is a legal statement on the homepage under "Oscar Mayer Foods" but it refers only to copyright information.

**Pepsi World**  
**<http://www.pepsi.com>**

**6/11/97**

**Information collection:** The homepage of the site is predominantly a link for the "Pepsi Stuff" promotion -- a merchandise give-away based on points collected from drink purchases. The site explains to visitors how they can obtain a free Pepsi Stuff catalog. Visitors in the U.S. and Canada are asked to submit title (e.g. Mr., Mrs., Ms.), first name, last name, complete mailing address.

Also, visitors are invited to enter the Pepsi/MTV sweepstakes by submitting via postal mail first name, last name and full mailing address.

**Disclosure/legal statement:** At the bottom of the contest page, there is a tiny link to the contest rules. Although there is a statement pertaining to minors--"If winner is a minor, prize will be awarded to the minor's parent or legal guardian"--nothing is said about information collection and use.

**Sega**

**<http://www.sega.com>**

**6/3/97**

"Segagrams," which allow visitors to send Sega online postcards to friends, requests the following information: name of sender, E-mail address of sender, name of recipient, E-mail address of recipient and message to be delivered.

Additionally, "Sega Threads" is a message center for registered users. Anyone can browse, registered users can post messages. Registration for "Sega Threads" requires visitors to submit their name, password and E-mail address.

Sega Shop, where users can purchase games and system accessories, requires the following billing information for online purchases: name, mailing address, daytime phone, E-mail address, gaming platform, payment method (credit card information), and shipping address.

After visiting the site, the following message is sent to visitors:

Date: Mon, 9 Jun 1997 23:39:02 -0700  
From: webmistress@segasoft.com  
To: yalda@cme.org  
Subject: SEGASOFT STRIKES AGAIN

Greetings, our dear, darling yalda nikoomanesh!

No, that subject heading doesn't mean that SegaSoft is on strike. But we DO have news, oh yes we do!

IT'S ANOTHER BLUE LIGHT SPECIAL. THIS WEDNESDAY, 5:30 TO 7 PM (Pacific Time).

We haven't had a sale quite like this in some time, so we thought we'd make an extra big deal out of it! Here's the low-down:

\*\*\* OBSIDIAN \*\*\*

Our smash hit adventure game, beloved by critics and gamers alike is JUST \$29.99 (Win '95 or Mac)! And guess what? We'll also toss in the OFFICIAL OBSIDIAN HINT BOOK -



FOR FREE. So you get a \$39.99 game AND a \$19.99 book for THE ONE LOW PRICE OF \$29.99.

Lookee here, with this incredible deal you will wind up saving \$30, so we've got a great idea on how you can spend it. Here's our OTHER big offer:

\*\*\* BLOOD \*\*\*

The fastest, goriest, creepiest first-person shooter there is. It's selling like hotcakes, and we've got it for \$39.99 - PLUS, with this offer, you get a FREE 6 month membership to our sizzling internet game network, HEAT! (That's a \$30 value, chum!) Save wads of dough and be a part of history at the same time.

Come on. It's summer. You're just going to be bored with yourself if you don't act now. SO ACT NOW.

Or, rather, act on this date:

WEDNESDAY, JUNE 11, 5:30 - 7 PM Pacific Time. <http://www.segasoft.com>

See you there! We'll be there with our little party boots on!

Love, SegaSoft

**Disclosure/legal statement:** "Sega Source" provides an area for customer information, including secure online transactions. There is no other explanation of information collection and use.

**Sony Wonder**  
<http://sonywonder.com>

**6/2 and 6/11/97**

**Information collection:** At the "Play Station" area of the Sony site, visitors are given a "Station Pass for Guests." With this pass, visitors are told to sign-in: "Welcome to THE STATION! Sip in now and you could win today's great prize!" Visitors (on June 2, 1997) are told that "today is disc man day." Visitors are asked to type their "Station Name," a Password, their first name, middle initial, last name, E-mail address, birthdate, gender, home zip code or postal code, Country/Region and Key Code. (The last item is optional.) Nothing more is said about the prize.

**Cookies:** yes.

**Disclosure/legal statement:** After completion of the registration, visitors are told that use of Sony.com. is subject to the "Terms of Service." These terms include several items

that pertain to information collection: "(1) All personal information provided by you must be accurate to the best of your knowledge at the time of providing the information. Intentionally providing inaccurate or misleading information will constitute a violation of these Terms of Service. Each Station Member must provide Sony Online with accurate, complete information as to his or her name and e-mail address and must update such information upon any change thereof (2) You hereby grant to Sony Online a worldwide, royalty-free, perpetual, irrevocable, non-exclusive right and license to use, reproduce, modify, adapt, publish, translate, create derivative works from, distribute, perform and display any message, posting or other material of any kind posted on The Station, including, without limitation, StationChat and any other communications feature of The Station (in whole or in part), and/or to incorporate it in other works in any form, media or technology now known or hereafter developed." A section called "Privacy of Station Members" was added to the site after an article appeared in *USA Today* on June 9, 1997. The section reads, "The Station highly values the privacy of its Station Members. As such, The Station will not divulge any personal information about a Station Member to anyone outside of Sony without that Station Member's explicit consent. This clause does not apply to any advertisements or promotion on The Station involving a third party advertiser or sponsor in which that advertiser or sponsor may request additional information from Station Members."

### **Time Warner's Pathfinder**

<http://www.pathfinder.com/kids>

6/9/97

**Information collection:** At the "Time for Kids" page, visitors see a link that is twice the size of all others. It reads, "Kids Talk Back Survey, Click Here!" After following the link, visitors see a letter from the General Manager. She writes, "Dear TIME for Kids reader: Do you have any suggestions for us? Your ideas are very important to TIME for Kids. Here's your chance to talk back to TFK. Tell us what you think by filling out this survey. Make sure you answer each of the questions. Also, we are choosing 25 of our readers to be on the TFK Kids Talk Back Panel... just answer all of the questions and fill out the parts of the survey that ask for your name, address and telephone number. TIME For Kids will tell you and your parents by September 15, 1997, if you are one of the 25 kids selected to be on out [sic] TFK Kids Talk Back Panel." The survey asks for gender, age, grade, type of school, where visitors use computers and whether visitors use the Internet. Fifteen questions about the visitor's opinions of Time for Kids are asked as well. Those interested in being one of the panelists are asked to provide name, home address, home phone number and name of school.

Visitors who take *SI for Kids*, "The Shorter Reporter Trivia Challenge," are asked to submit their first name and last initial.

**Cookie:** yes.

**Disclosure/legal statement:** The following statement can be found by clicking on "Pathfinder Privacy Policy," located on the bottom of each page: "KIDS: Be sure to ask your parents for permission before sending any information about yourself over the internet. Any such information collected by Pathfinder from children is used for editorial participation and feedback purposes, together with any other purposes described at the point of collection, and is not transferred to any third parties."

At the bottom of the "Talk Back" survey, there is the following statement: "Please be assured that TIME for Kids will use your name and address only in the selection process for the TFK Talk Back Panel, and not for any commercial or promotional purposes."

Similarly, the bottom of the "The Trivia Challenge," pages states, "Be sure to ask your parents for permission before you send any personal information over the internet. We need your first name and last initial so we can post names of winners on the SI For Kids website. We will not give your personal information to anybody else."

**ToysRUs**  
**<http://www.toysrus.com>**

**5/12/97**

**Information collection:** In the "Sign-Up" section, visitors are asked to fill in their first name, E-mail address, birthday and gender because, "Geoffrey would like to send you a special gift online for your birthday. Please fill out the form below to be on our Toys "R" Us birthday list!" After doing so, visitors receive the following message:

Date: Mon, 12 May 1997 16:00:12 -0400  
From: webmaster@toysrus.com  
X-Authentication-Warning: Automated Mailer  
Reply-To: webmaster@toysrus.com  
To: sp@cme.org  
Subject: Download your birthday present!

Dear kaitlyn:

Hip, hip, HOORAY,  
It's your BIRTHDAY!!!!  
I have a very special treat just for you.  
To get it here's all you need to do!

Go to the Toys R Us web site:  
[www.toysrus.com/about\\_us/secretword.html](http://www.toysrus.com/about_us/secretword.html).  
Then type in your special secret code which is printed below.

Super Top Secret Code: g\_sEJNO

Choose the type of computer system you are using Download the file, double-click on it to explode it, and then run Setup.

That's it!

Enjoy and Happy Birthday!

Geoffrey

Additionally, in the "Daily Dose" section, children are invited to share a joke or riddle. They are told, "Just fill out this form and send us your favorite jokes and riddles. If we use them, we'll give you credit on the Mighty Mondays Joke and Riddle Page." Along with their joke, they are asked to submit their name and E-mail address.

**Cookies:** yes.

**Disclosure/legal statement:** There is no disclosure/legal statement pertaining to the information collected within the birthday activity.

Visitors who make submissions to the "Daily Dose" are told, "All submissions should be sent via e-mail. Please specify how you want your name to appear on the site. E-mail addresses will not be posted. Toys "R" Us reserves the right to edit all submissions for length and clarity. All submissions become the property of Toys "R" Us and can be used in any other media. Entrants will not receive compensation for their submissions."

**Ty's Beanie Babies**

**<http://www.ty.com>**

**6/2/97**

**Information collection:** In order to participate in the "Beanie Connection," visitors must obtain a password. The following information is requested on the password processing form: full name, E-mail address, if the user would like to be on Ty's E-mailing list, user ID, gender, age, state or country. The last three questions are optional.

After registering at the site, visitors receive the following message:

Date: Fri, 30 May 1997 13:47:17 -0500 (CDT)  
Reply-to: sp@cme.org (Leslie Billings)  
From: sp@cme.org (Leslie Billings)  
Subject: Registration to Beanie Connection  
To: sp@cme.org

Thank you for registering for the Beanie Connection. Please save this e-mail for future reference because you will need your password whenever you enter the Beanie Connection. If you did not enter a USER ID on our registration form, your name, exactly as you entered it in the "name" box, will default as your USER ID.

Your password is as follows:

b1ackie3

Your personal information is as follows:

Your Name: Leslie Billings  
Your User ID: Leslie Billings  
E-mail: sp@cme.org

Thank you once again for registering to the Beanie Connection!

**Disclosure/legal statement:** In small red letters at the top of the Ty home page, it says, "Click here to read the terms and conditions that apply to your use of Ty Inc's website." The section pertaining to information collection reads: "All remarks, suggestions, ideas, graphics, or other information communicated to Ty Inc. through this site (together, the "Submission") will forever be the property of Ty Inc. Under no circumstances will Ty Inc. be required to treat any Submission as confidential, and will not be liable for any ideas for its business (including without limitation, product ideas) and will not incur any liability as a result of any similarities that may appear in future Ty Inc. operations. Without limitation, Ty Inc. will have exclusive ownership of all present and future existing rights to the Submission of every kind and nature everywhere. Ty Inc. will be entitled to use the Submission for any commercial or other purpose whatsoever, without compensation to you or any other person sending the Submission. You acknowledge that you are responsible for whatever material you submit and you, not Ty Inc. have full responsibility for the message, including its legality, reliability, appropriateness, originality, and copyright."

### **Virtual Comics**

**<http://www.virtualcomics.com>**

**6/3/97**

**Information collection:** Visitors are invited to register for a Secret Identity to be eligible to win free comics and other prizes. Choosing "Internet interactivity" from the "Club Heromaker" page takes visitors to the registration page where they are asked to provide their name and E-mail address. Visitors also choose a Secret Identity name and password.

**Disclosure/legal statement:** The homepage contains a link, "Legal Disclaimer that pertains to copyright and trademark, but it makes no mention of information collection and use.

### **Walt Disney**

**<http://www.disney.com>**

**6/10/97**

**Information collection:** On the homepage of the site, there are links, "Enter to win a brand-new GMC Jimmy in the Family Fantasy Sweepstakes!" and the "Hercules Sweepstakes." Visitors are told, "To enter the Sweepstakes online, you must be a registered Disney.com guest." The first page of the registration form reads, "there are plenty of great reasons for you to register at Disney.com -- like entering year-round contests and sweepstakes! You could win trips to our theme parks all over the world, or hundreds of other great prizes. Registered guests are also eligible to receive special updates on what's new from Disney." Visitors are given three options: "(1) Are you under 16? Click here. (2) If you're over 16, don't delay -- register now, so you can enter to win! (3)

If you've already registered and wish to modify your registration, click here." Following the first link takes visitors to a page that reads, "Special Note for Guests Under 16. If you are under 16 years of age, Disney.com requires that you get your parent or guardian's permission before you provide any information about yourself. In addition, if you are under 16, you need the permission of your parent or guardian to enter any contest or sweepstakes at Disney.com. Your name and e-mail address will be used to contact you if you win a prize."

The following information is requested on the registration page: name, E-mail address, parents E-mail address (if under 16 years old) and year of birth. Visitors choose a registration name and password. They also can choose a "code word" that can retrieve the registration name and password in case they are lost. Visitors choose code words from the following categories: mother's maiden name, family member's name, birthday, place of birth and secret word. The registration form also states, "The following questions are optional. Providing this information will enable us to send out periodic updates about what's new at Disney. This information should only be filled out by guests 16 years of age or older." Visitors are asked to submit complete mailing address, "areas of Disney.com about which you would like to receive information" and if they would like to receive information from Disney.com. (Via E-mail, U.S. Postal Service, both or neither. The default of the last one is "both.") If a visitor claims to be under sixteen and does not fill in the blank for parent's E-mail than a window appears stating, "Oops, Your parent's E-mail address is too short." Visitors can either submit an E-mail address or change their age. Either one will complete the registration process. Also, the parent's E-mail address can be identical to the child's.

Following a link, "Free Catalog" takes visitors to a page that reads, "FREE CATALOG! Bring the Magic of Disney directly to your doorstep! Choose from apparel, collectibles, watches, videos, accessories, and more! To receive your free catalog, just fill out the form below." Visitors are told to "Please type your information in the spaces below. All information is required, except as indicated." The form asks for first name, last name and complete mailing address. E-mail address and telephone number are optional.

**Cookies:** yes.

**Disclosure/legal statement:** At the bottom of the homepage there is a link, "PLEASE CLICK HERE FOR LEGAL RESTRICTIONS AND TERMS OF USE APPLICABLE TO THIS SITE." No part of the Terms of Service pertains to information collection practices.

The bottom of the pre-registration form reads, "Information collected from guests who are 16 years of age or older may be used for marketing and promotional purposes by The Walt Disney Company." The bottom of the registration form reads, "If you are under 16 years of age, Disney.com requires that you get your parent or guardian's permission before you provide any information about yourself. Your name and e-mail address will be used to contact you if you win a prize in one of our contests or sweepstakes. Information collected from guests who are 16 years of age or older may be used for marketing and promotional purposes by The Walt Disney Company."

There are no other statements concerning collection and use of information, including the catalog request form.

**Information collection:** Visitors are invited to "Sign Up for the All New Batman Online Newsletter." Visitors are asked to submit their name (first and last) and E-mail address. After signing up, visitors receive the following message:

Date: Tue, 10 Jun 1997 12:22:58 -0700  
From: "L-Soft list server at WARNER BROS. ONLINE (1.8c)"  
Subject: <LISTSERV@LISTS.WARNERBROS.COM>  
You are now subscribed to the BATMANTAS list  
To: Kaitlyn Strong <sp@CME.ORG>  
Reply-To: BATMANTAS-request@LISTS.WARNERBROS.COM  
X-LSV-ListID: BATMANTAS

Tue, 10 Jun 1997 12:22:58

Your subscription to the BATMANTAS list (BATMANTAS Subscription list) has been accepted.

Welcome to the all-new official BATMAN online newsletter! Each week we'll bring you the latest on what's new in the world of Batman on the 'Net.

Each week you'll receive cool information regarding all the various Batman genres. From the "Batman and Robin" feature film, to "Batman The Animated Series", to DC Comics, we've got the Dark Knight covered.

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If your friend wants to add their name to our mailing list, tell them to send e-mail from their account to this address:

**LISTSERV@LISTS.WARNERBROS.COM**

with the following message:

In the subject line, please write 'subscribe kidswb' without the quotes. In the body of the e-mail, please write 'subscribe kidswb e-mail first last', replacing e-mail, with your complete e-mail address and 'first' with your first name, 'last' with your last name. If you wish to subscribe anonymously, please replace first name, with 'anonymous.'

Remember that once you sign-up you'll continue to receive our newsletter unless you tell us not to send it.

-----

If you have been added to this list by mistake, or want to be removed, please send e-mail to the following address:

LISTSERV@LISTS.WARNERBR0S.COM

In the subject line, please write 'unsubscribe kidswb' without the quotes. In the body of the e-mail, please write 'unsubscribe kidswb' e-mail', replacing 'e-mail' with your complete e-mail address.

We'll see to it that you are promptly removed from our list

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**Disclosure/legal statement:** At the bottom of the homepage, there is a link, "Legal/Privacy information About This Site," that takes visitors to the Terms of Use. The Terms of Use includes a lengthy section on privacy. It reads: "WB Online is very respectful about the privacy concerns of the visitors to its sites on the Internet. As a general policy, no personal information is automatically collected from visitors to its sites, nor is so-called "cookie" technology used by the sites created by WB Online. However, certain non-personal information of visitors is recorded by the standard operation of WB Online's Internet servers. This information is primarily used to provide an enhanced online experience for the visitor. Information tracked includes the type of browser being used by the visitor (e.g., Netscape, Internet Explorer), the type of operating system (e.g., Macintosh, Windows) in use by the visitor and the domain name of the visitor's Internet service provider (e.g., America Online, Earthlink). By having this information, web pages optimized for a particular visitor's computer is automatically available to that visitor. Other uses of this information include internal review of the number of visitors to the sites but only in an aggregate and non-personally-identifiable form. E-mail addresses and other personally identifiable data about visitors to this site are known to WB Online only when voluntarily submitted. Personally identifiable information that may be collected in connection with visitors voluntarily filling out contest entry forms or subscribing to newsletters is retained by WB Online and not sold or otherwise transferred outside the company. This information is used to better understand visitors' use of our sites and to support transactions made on the sites. However, this data in an aggregate form may be provided to other parties for marketing, advertising or other uses. We sometimes also use e-mail addresses and other personally identifiable information to contact visitors who communicate with us. For example, we direct e-mail to visitors who provide us with their e-mail addresses for specific purposes such as receiving our e-mail newsletters or being notified if they have won one of our contests. Each e-mail newsletter always contains instruction on how to discontinue receipt of the newsletter. To the extent that any of our sites accessible through WB Online has additional practices, these practices will be explained at that site."

Additionally, there is "A SPECIAL NOTE FOR PARENTS CONCERNING PRIVACY." It reads: "On sites specifically designed for children, WB Online makes a special effort to encourage children to consult with their parents before furnishing data. However, WB Online believes that parents should supervise their children's online activities and consider using parental control tools available from online services and software manufacturers that help provide a kid-friendly online environment. These tools can also prevent children from disclosing online their name, address, and other personal information without parental permission. For additional information about parental control tools, please consult the 'Consumer Assistance' page of the Direct Marketing Association home page ([www.the-dma.org](http://www.the-dma.org))."



The top of the "Batman Forever Newsletter subscription form states, "Kids, please remember to check with your parents before giving any personal information on the Internet. Safe Surfing!"

## Appendix 3

### More Popular Children's Commercial Sites

#### Kid's World

<http://www.kidsworld.com>

6/26/97

**Information collection:** In the "Tuneland" and "Virgil Reality" sections of Kid's World, users can post their questions and comments to Lil' Howie or Professor Virgil Reality by filling in their name and e-mail address.

**Cookies:** no

**Disclosure/legal statement:** No disclosure or legal statement was found.

#### LEGO

<http://www/lego.com>

6/16/97

**Information collection:** On "My Own LEGO Page," users are asked to enter their name. Then they "click here" to build their own page and become a member. After following this link, the user is brought to a page called "Editing (user's name)'s LEGO Page" which greets the user with "Hi (user's name)!" This page allows the user to surf to their favorite Web sites by clicking on LEGO bricks. The user is told to "Please fill in as many of the fields below as you want to." The fields include name, age, type of computer, whether the user has a CD-ROM, E-mail address, and favorite links. Continued on the same page, but under a small heading called "Survey," users are asked what else they would like to be available on this site, whether they have ever visited LEGOLAND, how many LEGO Sets they have, and what kind they are. Above the request for E-mail address a note explains, "If you wish, you can give us your E-mail address by completing the field below. It's not essential but, if we have it, we can send you a membership certificate with your membership number on it."

**Cookies:** no

**Disclosure/legal statement:** On the "Editing (user's name)'s LEGO Page," there is a link, "About building a LEGO Page (Please read this - it is important)." The statement pertaining to E-mail solicitation reads, "You will have the option of giving us your e-mail address. You don't have to but, if you do, we can send you a membership certificate right away via the Internet with your number on it. Please keep this certificate in a safe place, because you will need the membership number to access your LEGO Page. We also need your e-mail address if you would like extra information in your e-mail from time to time on one or more of the LEGO brands. As the club develops and we work out a system for handling e-mail, there may also be exciting opportunities for us to communicate with each

other. But we promise never to use your e-mail address to send you information you have not specifically asked for - and we will not pass the address on to anyone else."

There is another link called "Legal Notice" which appears at the bottom of all the pages listed above. The legal statement pertaining to information collection reads, "Any communication or material you transmit to the Site by electronic mail or otherwise, including any data, questions, comments, suggestions, or the like is, and will be treated as, nonconfidential. and non-proprietary. Anything you transmit or post may be used by LEGO A/S or its affiliates for any purpose, including but not limited to reproduction, disclosure, transmission, publication, broadcast, and posting. Furthermore, LEGO A/S is free to use any ideas, concepts, know-how, or techniques contained in any communication you sent to the Site for any purpose whatsoever, including but not limited to developing, manufacturing, and marketing products using such information."

### **Gund**

**<http://www.gund.com>**

**6/16/97**

**Information collection:** Users can send messages to Gund on the "B-mail" page. They are asked to enter their name, E-mail address, and message.

The "Registration Form" page requests name, age, address, daytime and evening phone numbers, E-mail address, marital status, number of children in household and their ages, how many stuffed animals purchased in the last year, where they were purchased, what brand name it was, and how much was paid for each animal. Users can choose whether they would like to receive E-mail from Gund. There is also a space to send comments.

**Cookies:** no

**Disclosure/Legal Statement:** No disclosure or legal statement was found.

### **Hasbro**

**<http://www.hasbrotoys.com>**

**7/8/97**

**Information collection:** Users can send their questions and comments to Hasbro via E-mail on the "Talk to Us" page. Answers are posted in the Frequently Asked Questions area. Hasbro explains that it cannot answer individual E-mail messages due to the large volume of mail they receive.

**Cookies:** no

**Disclosure/Legal statement:** The section of the legal statement pertaining to information collection reads, "In the event that you send Submissions to Hasbro, the Submissions shall be and shall remain the property of Hasbro. Hasbro will not have any

obligations of confidence with respect to the Submissions, nor will Hasbro be liable for any disclosure or use of any Submissions. Without limiting the foregoing, Hasbro shall exclusively own all now-known or hereafter existing rights to the Submissions of every kind and nature throughout the universe and shall be entitled to unrestricted use of the Submissions for any purpose whatsoever, commercial or otherwise, without compensating the provider of the Submissions."

**Noodle Kidoodle**

**<http://www.noodlekidoodle.com>**

**6/16/97**

**Information collection:** On the "Talk to Us" page, users are given a postal address that can be used to write to Noodle Kidoodle. Under this address it reads, "Better yet, just fill out the form and Submit it! Be sure to list your full E-mail address (ie:accountname@xyz.com) if you'd like a reply." The form requests name, E-mail address, address, city, state, zip code, phone number and has a section for comments.

**Cookies:** no

**Disclosure/legal statement:** No legal statement was found.

**Chuck E. Cheese**

**<http://www.chuckecheese.com>**

**7/8/97**

**Information collection:** Children can enter Chuck E. Cheese's Coloring Contest by printing the picture and mailing it in with their name, age, and home address. Winners will be awarded a \$10 Chuck E. Buck gift certificate.

**Cookies:** no

**Disclosure/Legal Statement** The following statement was found within the Rules of the Coloring Contest: "Entries cannot be returned and become the property of ShowBiz Pizza Time, Inc. Submission of an entry entitles ShowBiz Pizza Time to use your name and art for promotional purposes."

## Surge

<http://www.surge.com>

6/30/97

**Information collection:** On the "Feed Me" page, users are asked to "Tell us who you are. What you're into. And where you can be found." In exchange for their registration, users are promised, "Challenge rooms. Games. Info on the latest vibes. It changes week-to-week. And just when you think you've seen it all, we'll send you an E-mail to call you back for more -- a game, a prize, anything is possible. But until you register, you'll never know for sure. That's just our way to keep you thirsty for more." The following survey on the "ignition" page requests name, E-mail, address, home address, birthday, favorite A-Team member and favorite soda. Users are asked to check the boxes for the types of activities they do and they have the option to check a box if they would like to receive E-mail messages. If you try to submit an incomplete form, the following message appears, "If at first you don't succeed, you fail. Due to technical difficulty, notably your lack of initiative to register properly, we will not be able to let you in our site. If you want to try again, get down on your knees and beg your computer monitor for forgiveness. If that doesn't work, simply click below."

**Cookies:** yes

**Disclosure/legal statement:** The legal statement can be found by clicking on a tiny character located at the bottom of most pages. However, there is no text to identify this character, which looks like a letter c in parenthesis (c), and is barely noticeable with all the text and graphics on the pages. The section of the legal statement that pertains to information collection reads, "Any communication or material you transmit to the Site by electronic mail or otherwise, including any data, questions, comments, suggestions or the like is, and will be treated as, nonconfidential and nonproprietary. Anything you transmit or post becomes the property of The Coca-Cola Company or its affiliates and may be used for any purpose, including, but not limited to, reproduction, disclosure, transmission, publication, broadcast, and posting. Furthermore, The Coca-Cola Company is free to use any ideas, concepts, know-how or techniques contained in any communication you send to the Site for any purpose whatsoever including, but not limited to, developing, manufacturing and marketing products using such information." \_

## SpaceZone

<http://www.spacezone.com>

7/8/97

**Information collection:** From the homepage, users can click on "Become a Member," which brings them to the "Membership Application" page. Here they are told, "The benefits of being a SpaceZone member are many including automatic registration for a trip to watch a 1997 shuttle lift-off in person, discounts on goods and products in the Space Store as well as members-only access to SpaceZone forums." Users are asked to fill out the membership form completely, which includes questions such as name, home address, phone number, E-mail address, gender, age, marital status, level of education, employment status, job title, number of children and their ages, total combined household income, type of Internet Browser, type of PC, location of Internet use, favorite space related Internet

site, primary interest at SpaceZone, and whether they would recommend the site to others. Users can choose if they want their E-mail id made available to other SpaceZone members.

In the "Kids Space" section, a page called "Classroom Hall of Exhibits" asks children to send information about individual or classroom science projects. To do so, they must first become a member of SpaceZone. Children are told, "If your special project is selected to be published in SpaceZone, you will be awarded the American Space Odyssey video of your choice and your class will be awarded the Space Adventure Ten Volume Set." The following information is requested: name, E-mail Id, grade, school, state or country, teacher's name, and detailed information regarding their experiment.

**Cookies:** no

**Disclosure/legal statement:** No formal legal statement was found, but at the top of the membership application is the following statement: "SpaceZone recognizes that some of the questions below are of a personal nature. Toward this end, SpaceZone will use the information you provide exclusively for demographic purposes only. Our membership information is confidential and will not be made available to any individual(s), entity(s), or organization(s). In this spirit, we thank you in advance for your cooperation and understanding."

**Humongous Entertainment**  
<http://www.humongous.com>

6/27/97

**Information collection:** On the "Frankly Freddi" page, users can send Freddi Fish their questions. They are told, "Remember to include your name, age and where you live."

From the homepage, users can click on "Have any continents" which brings them to a page that refers them to the correct people to contact, depending on what their comments are. By clicking on "short feedback form," users are brought to a survey that asks several questions including how often they visit the site, if they visit the site alone, what areas of the site they have visited, what they have done at the site (used Club Chat, entered any contests, visited the PR section, etc.), how they access the Web, and what plug-ins they have. Users are asked to rate the site in five areas: download speed, ease of navigation, quality of graphics, usefulness of information, and overall quality. There is also a section at the end for comments. The survey does not request personal information such as name, address, E-mail, etc.

Users can register from the homepage by clicking on "On-Line Registration." They are told: "Registered users become members of Club Humongous and receive our quarterly club newsletter, The Club Humongous Gazette. The Gazette is full of fun activities for kids plus neat info and special club offers for parents." To register, users are asked to fill in their name, home. address, daytime phone (optional), primary operating system, and check all the programs that they own from lists provided by the site. Users can enter their E-mail address if they would like to receive the E-mail newsletter.

On the "New" page, users are told they can win a trip to Universal Studios Florida by filling out a form. Clicking on "this form!" brings the user to another site

(<http://www.aahsworld.com>). There is no mention of the contest on the homepage of Aahsworld, but clicking on "promos" will bring users to a list of contests where they can find the Universal Studios advertisement. The form asks for name, age, city, state, and phone number.

**Cookies:** no

**Disclosure/legal statement:** Copyright and legal information can be found by clicking on "Humongous Entertainment" on the home page. There was no statement regarding information collection.

## **Gap Kids**

**<http://www.gapkids.com>**

**7/8/97**

**Information collection:** At the "Hang out at the beach" page, users try to find a secret password by clicking on palm trees. The secret password can be used to enter a contest to win a Gap gift certificate. To enter the contest, users are asked to complete a form requesting the secret password, their first and last name, home address, E-mail address, age and gender.

**Cookies:** no

**Disclosure/legal statement:** A section of the legal statement, "User Comments, Feedback, Postcards and other Submissions," reads: "All comments, feedback, postcards, suggestions, ideas, and other submissions disclosed, submitted or offered to Gap on or by this Site or otherwise disclosed, submitted or offered in connection with your use of this Site (collectively, "Comments") shall be and remain Gap's property. Such disclosure, submission or offer of any Comments shall constitute an assignment to Gap of all worldwide rights, titles and interests in all copyrights and other intellectual properties in the Comments. Thus, Gap will own exclusively all such rights, titles and interests and shall not be limited in any way in its use, commercial or otherwise, of any Comments. Gap is and shall be under no obligation (1) to maintain any Comments in confidence; (2) to pay to user any compensation for any Comments; or (3) to respond to any user Comments. You agree that no Comments submitted by you to the Site will violate any right of any third party, including copyright, trademark, privacy or other personal or proprietary right(s). You further agree that no Comments submitted by you to the Site will be or contain libelous or otherwise unlawful, abusive or obscene material. You are and shall remain solely responsible for the content of any Comments you make. You agree that Gap may use and/or disclose information about your demographics and use of the Site in any manner that does not reveal your identity."

Another section, "Gaps's Communications to you," reads: "You agree that Gap may send electronic mail to you for the purpose of advising you of changes or additions to this Site, about any of Gap's products or services, or for such other purpose(s) as Gap deems appropriate."

## Gap

<http://www.gapinc.com>

7/8/97

**Information collection:** In the "gapdenim" section is "gap's easiest promotion." Users are asked to pick a number between one and three (hint: odd numbers don't count) and fill out the form for a chance to win a pair of gap jeans. The form requests first and last name, home address, E-mail address, age, and gender.

**Cookies:** no

**Disclosure/legal statement:** Same as the legal statement found at the Gap Kids site.

## Grossology Games

<http://www.grossologygames.com>

7/8/97

**Information collection:** On the "When can I get it?" page, users are told, "Be the first on your block to find out when the Grossology CD-ROM will be released! We'll even E-mail you special promotional stuff about the game -- you'll know more before anybody else. Just fill out the form below and submit it." The form requests E-mail address, name, home address and country. Age and gender are optional.

**Cookies:** no

**Disclosure/legal statement:** No disclosure or legal statement was found.

## Nike

<http://www.nike.com>

7/8/97

**Information collection:** From the homepage, users can click on "Talk to Us," which brings them to a survey. Here users can choose to be on Nike's electronic mailing list. The survey requests first and last name, gender, birthday, E-mail address, home address, how users found out about the site, and comments.

In the Basketball section of the site, the "Pulse" page asks visitors "How is your game face different from your everyday demeanor?" Users fill out their name, E-mail address, city, state and age before filling in their comments.

In the Soccer section of the site, the "Pulse" asks visitors "What's good about your game?" Users fill out their name, E-mail address, city, state and age before filling in their comments.



**Cookies:** no

**Disclosure/legal statement:** No disclosure or legal statement was found.

**Irwin Toy Company**

**<http://www.irwin-toy.com>**

**6/30/97**

**Information collection:** To become eligible for the Irwin Toy ReBoot Challenge and Spawn 2 Hyper Trivia Challenge, users must complete a form requesting their name, E-mail address, age, gender and chosen password. Users can win a Don Cherry autographed Russian hockey stick, a deluxe She-Spawn action figure, or seven assorted color change ReBoot figures.

The "Feedback" page allows users to submit comments via E-mail by entering their name, E-mail address, subject, and comments on the page.

**Cookies:** yes

**Disclosure/legal statement:** No disclosure or legal statement was found.