

IN THE MATTER OF
GEOCITIES

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SEC. 5 OF THE FEDERAL TRADE COMMISSION ACT

Docket C-3850. Complaint, Feb. 5, 1999--Decision, Feb. 5, 1999

This consent order, among other things, prohibits GeoCities, a corporation that operates a World Wide Web site, from misrepresenting the purpose for which it collects or uses personal identifying information from or about consumers, including children. The consent order requires the respondent to: place a prominent privacy notice on its web sites; establish a system to obtain parental consent before collecting personal information from children; and notify individuals from whom it previously collected personal information and offer them an opportunity to have that information deleted. In addition, the order permits the respondent to collect or use personal information from children to the extent permitted by the Children's Online Privacy Protection Act of 1998, or by regulations or guides issued under that Act.

Participants

For the Commission: *Toby Levin, Dean Forbes, Martha Landesberg, C. Lee Peeler, Caroline Curtin and Louis Silversin.*

For the respondent: *Ronald Plessner, Piper & Marbury, Washington, D.C. and Bart Lazar, Seyfarth, Shaw, Fairweather & Geraldson, Chicago, IL.*

COMPLAINT

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

1. Respondent GeoCities is a California corporation with its principal office or place of business at 1918 Main Street, Suite 300, Santa Monica, California.

2. Respondent has operated a World Wide Web ("Web") site located at <http://www.geocities.com>. This Web site is a virtual community consisting of consumers' personal home pages that are organized into 40 themed neighborhoods. Respondent "hosts" a personal home page by posting it to an address in the consumer's chosen neighborhood.

3. Respondent has provided numerous services including free and fee-based personal home pages, free e-mail service, contests and children's clubs. Respondent provides personal home pages and e-mail addresses to adults and children who reveal personal identifying and demographic information when they register with the Web site.

4. Respondent has more than 1.8 million members whom it refers to as "homesteaders." As of December 2, 1997, approximately 200,000 GeoCities homesteaders were between the ages of 3 and 15. As of May 18, 1998, approximately 50,000 homesteaders were under age 13. Respondent's site is one of the ten most frequently visited Web sites, and was the sixth top trafficked site in April 1998 with 14.1 million unique visitors ages 12 and up. Among visitors between the ages of 12 and 17, it was the third most frequently visited Web site in March 1998. One out of five U.S. Web users visited respondent's Web site in October 1997.

5. Respondent has created opportunities for third party advertisers to promote products in a targeted manner to its more than 1.8 million members through respondent's collection of personal identifying, demographic, and "special interest" information obtained in the registration process and through the placement of members' personal home pages in themed neighborhoods.

6. Respondent has derived its revenues from: selling third party advertising space on the Web site (including rotated ad banners, pop-up ads, and sponsorships of major areas on the Web site); selling personal identifying, demographic, and/or interest information collected from consumers who register; GeoPlus, an enhanced fee-based service that provides members extra server space for their personal home pages, among other benefits; merchandising in the Web site's GeoStore; and respondent's publishing unit (GeoPress Publishing).

7. Respondent has required consumers, including children, to complete a "New Member Application" form to become a GeoCities member. The form requests certain mandatory information and certain other information that respondent describes as "optional." The form also asks consumers to designate whether they would like to receive "special offers" from a list of topics or from specific companies. The default setting on the form for special offers is for members to receive them unless members choose otherwise.

8. Respondent has promoted on its Web site a children's neighborhood called the "Enchanted Forest." The Enchanted Forest is designated as respondent's "KIDS" area, "[a] community for and by kids." To join the Enchanted Forest neighborhood, children must complete the New Member Application form and post personal home pages. As of May 18, 1998, there were approximately 40,300 homesteads in the Enchanted Forest neighborhood.

9. Respondent has promoted on its Web site a children's club in the Enchanted Forest neighborhood called the "GeoKidz Club." To join the GeoKidz Club, children must complete the "Official GeoCities GeoKidz Club Membership Request Form." This form requires applicants to be GeoCities members and to fill in all information requested, including name, age, e-mail address, GeoCities home page address, and gender. Respondent has also promoted on its Web site contests in the Enchanted Forest neighborhood for which children must complete the "Enchanted Forest Contest Entry Form," by providing their name, personal Web page address, and e-mail address.

10. Respondent has distributed a newsletter called the "World Report." The World Report is e-mailed at regular intervals to respondent's members and occasionally is posted on respondent's Web site. Members automatically receive the World Report but can discontinue receiving it by using respondent's "Profile Editor," a form used to revise members' registration information. The Profile Editor's default setting is for members to receive the World Report unless they request not to.

11. The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act.

DECEPTIVE PRACTICES IN CONNECTION WITH RESPONDENT'S COLLECTION AND USE OF PERSONAL IDENTIFYING INFORMATION

Misrepresentations Involving Information Collection By GeoCities

12. Respondent has placed privacy statements on its New Member Application form [*Exhibit A*]. This form collects from consumers, including children, certain mandatory information (first and last name, zip code, e-mail address, gender, date of birth, and member name) and certain other information respondent designates as "optional" (education level, income, marital status, occupation, and

interests). The form also asks consumers to designate whether they wish to receive "special offers" from advertisers, to select from a list of special offer topics, and to designate whether they wish to receive specific products or services from individual companies. Respondent has also placed privacy statements on its "GeoCities Free Member E-mail Program" Web page [*Exhibit B*] and in the September 2, 1997 issue of the World Report newsletter [*Exhibit C*], which refer to consumers' information collected on the New Member Application form. Through the privacy statements in Exhibits A, B, and C, respondent has made the following statements about the uses and privacy of the information it collects:

A. "The following section is completely optional. We will not share this information with anyone without your permission, but will use it to gain a better understanding of who is visiting GeoCities. This information will help us to build a better GeoCities for everyone. . . . [The information requested is] Highest Level of Education Completed . . . Household Income . . . Marital Status . . . Occupation . . . Interests" [*Exhibit A*]

B. "When [consumers] apply to GeoCities we ask if they would like to receive information on a variety of topics. . . . Before we send anything out, we deliver an orientation e-mail to explain the program, to ensure that only those people who requested topically-oriented mail receive it and to protect your privacy. . . . We assure you this is a free service provided only to GeoCitizens who request this information, and we will NEVER give your information to anyone without your permission." [*Exhibit B*]

C. "[Certain e-mail to members] came from our friends at CMG Direct Corporation. It was only sent to homesteaders who clicked a box in the topic list on the GeoCities application. The letter was meant as a heads-up to those people that information about the interests they selected would be coming from reputable companies. . . . We are sorry about any confusion concerning these e-mails. We assure you that we will NEVER give your personal information to anyone without your permission." [*Exhibit C*]

13. Through the means described in paragraph 12, respondent has represented, expressly or by implication, that the personal identifying information collected through its New Member Application form is used only for the purpose of providing to members the specific e-mail advertising offers and other products or services they request.

14. In truth and in fact, the personal identifying information collected through respondent's New Member Application form is not used only for the purpose of providing to members the specific e-mail advertising offers and other products or services they request.

Respondent has also sold, rented, or otherwise marketed or disclosed this information, including information collected from children, to third parties who have used this information for purposes other than those for which members have given permission. For example, third parties have targeted unrequested e-mail advertising offers to individual members based on their chosen GeoCities neighborhoods. Therefore, the representation set forth in paragraph 13 was, and is, false or misleading.

15. Through the means described in paragraph 12, respondent has represented, expressly or by implication, that the "optional" information collected through its New Member Application form is not disclosed to third parties without the consumer's permission, and is used only to gain a better understanding of who is visiting GeoCities.

16. In truth and in fact, respondent has disclosed the "optional" information it collects through the New Member Application form to third parties without the consumer's permission, and for purposes other than to gain a better understanding of who is visiting GeoCities. Respondent has disclosed this information, including information collected from children, to third parties who have used this information to target advertising to GeoCities' members. Therefore, the representation set forth in paragraph 15 was, and is, false or misleading.

Misrepresentations Involving Sponsorship By GeoCities Where Information Is Collected By Third Parties

17. Respondent has disseminated or caused to be disseminated Enchanted Forest Web pages [*Exhibits D, H*]. These Web pages have promoted children's activities in the Enchanted Forest, including the Official GeoCities GeoKidz Club, through print [*Exhibit D*] and audio [*Exhibit E*] messages, and contests through print messages [*Exhibit H*]. Respondent has also disseminated or caused to be disseminated the July 16, 1997 issue of the World Report newsletter [*Exhibit F*], which also promotes the Official GeoCities GeoKidz Club. These promotions have caused children to reveal personal identifying information through the Official GeoCities GeoKidz Club Membership Request Form [*Exhibit G*] and the Enchanted Forest Contest Entry Form [*Exhibit I*]. Through its Web page and e-mail promotions, respondent has made the following statements:

A. "Welcome kids to this enchanting forest created by your friends for you to enjoy.... Join the GeoKidz Club at Enchanted Forest/3696 for fun and HTML help. Play Java games and be sure to visit Charlie, the GeoKidz Club's new dog." [Exhibit E]

B. "JOIN THE GEOKIDZ CLUB!

We all want a safe spot for our children to play and The GeoKidz Club is the perfect place. Enchanted Forest Community Leader Melange has been busy providing an HTML Center, games, message forums, a member's gallery and many more features for both parents and children to enjoy. The GeoKidz Club is always growing and expanding, so visit <http://www.geocities.com/EnchantedForest/3696> often . . . and make sure to say hello to our virtual dog!" [Exhibit F]

C. "Join us in our quest to name our Prince and Princess, the mascots of Enchanted Forest! Enter the contest to name them by June 7th, and win 25 GeoPoints." (emphasis in original) [Exhibit H]

18. Through the means described in paragraph 17, respondent has represented, expressly or by implication, that respondent collects and maintains the children's personal identifying information collected through the Official GeoCities GeoKidz Club Membership Request Form and Enchanted Forest Contest Entry Form.

19. In truth and in fact, respondent does not collect and maintain the children's personal identifying information collected through the Official GeoCities GeoKidz Club Membership Request Form and Enchanted Forest Contest Entry Form. In fact, the Official GeoCities GeoKidz Club and the GeoCities Enchanted Forest contests are run by third parties hosted on the GeoCities Web site, who collect the children's personal identifying information directly and maintain it. Therefore, the representation set forth in paragraph 18 was, and is, false or misleading.

20. The acts and practices of respondent as alleged in this complaint constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

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EXHIBIT A

<http://www.geocities.com/cgi-bin/no...d=EnchantedForest/Cottage&addr=44>



You are about to join the largest community on the Internet. Being a member of GeoCities is fun and becoming a member is easy. All you have to do is pick a membership plan, select a GeoCities name and address and review the member terms of service. After you've completed those minor tasks - we'll even help you build your first home page.

☒ **Free Personal Home Page Program**

The key word is FREE. This program includes 3 megabytes of space to work with and all the tools, utilities and help you may need to succeed.

GeoPlus

You get all the free stuff listed above, PLUS a total of 15 megabytes of space, a personalized URL, a file of free trial memberships in other web-related companies, a bunch of subdirectories to help organize your files, and a cache of cool utilities to soup up your site. And, under the new plan, you can join for only \$4.95 a month. You don't have to decide now. You can always sign up for GeoPlus at <http://www.geocities.com/join/geoplus/>.

The next step is understanding our Member Terms of Service.

GeoCities Page Content Guidelines and Member Terms of Service

Specifically, we do not allow any nudity or pornography in GeoCities.

The GeoCities Page Content Guidelines and Terms of Service 
are available at:
<http://www.geocities.com/members/guidelines/>

Members who are in violation of these policies may be deleted and their pages, or portions of their pages, removed without warning.

The purpose of the free Personal Home Page program is to give people the ability to create a home on the World Wide Web that reflects their interests, hobbies and background. 

Are you already a Netopia Virtual Office Member? ☒ No
☐ Yes

☐ I Agree to these Terms and Conditions

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EXHIBIT A

EXHIBIT A

http://www.geocities.com/cgi-bin/homestead/new_2**GeoCities Membership Application Form.**

You are only moments away from membership in GeoCities. This simple form will secure your home on the Web. Once we receive your registration, we'll send you a confirmation e-mail with your password and instructions for moving into your new home.

Welcome to the Neighborhood!**PERSONAL INFORMATION**

* = required

*First Name: *Last Name:
Street Address:
City: State: *Postal Code:
Country:

Very Important:

Please ensure you enter your E-mail address correctly so that you receive your GeoCities Registration Confirmation and password.

*E-Mail Address:

*Gender: ☐ Male ☐ Female *Date of Birth: MONTH DAY 19 0 0

HOME PAGE INFORMATION

Neighborhood: EnchantedForest/Cottage Address: 4475

Your member name is how you will be referred to within GeoCities. It will also determine the username of your GeoCities e-mail address, and appears next to your Address in the Neighborhood Listings.

*Member Name:

The following is used to describe the theme of your page. It appears next to your address in the neighborhood listings. Note: You can always change these values later by using the Personal Profile Editor.

Line 1:
Line 2:
Line 3:

GEOCITIES E-MAIL ACCOUNT

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EXHIBIT A

http://www.geocities.com/cgi-bin/homestead/new_sp

As part of your free membership, GeoCities offers you a free E-mail account. Your address will be "membername@geocities.com", and will be yours for as long as you remain a member of GeoCities.

Would you like to receive a free GeoCities E-mail account? ☐ Yes ☒ No

SPECIAL OFFERS

Would you like to receive special offers from advertisers based on your interests? ☒ Yes ☐ No

If yes, please check all that apply:

- ☐ Automotive ☐ Broadway ☐ College ☐ Computers ☐ Finance
☐ Health ☐ Movies ☐ Music ☐ Magazines ☐ Software
☐ Sports ☐ Stamp Collecting ☐ Telecommunications ☐ Travel ☐ Video Games

SURPLUS DIRECT

Would you like to receive information about the best computer bargains on the Net from Egghead Computer and Surplus Direct?

☒ Yes ☐ No

GEOPLANET

Having trouble staying in touch with friends? GeoPlanet helps you find and communicate with important people in your life. Join today, it is FREE and completely private.

☒ Yes ☐ No

INFOBEAT

Would you like to receive NEWSpot, a FREE e-mail service from InfoBeat, delivering a daily e-mail summary of news topics, including U.S. news, international news, sports and more? ☐ Yes ☐ No

Select 1 or more products:

☐ U.S. Front Page News	☐ U.S. Bus. & Fin. News
☐ World Front Page News	☐ Sports
☐ Entertainment	☐ Science & Medicine
☐ Technology	☐ The Environment

OPTIONAL INFORMATION

The following section is completely optional. We will not share this information with anyone without your permission, but will use it to gain a better understanding of who is visiting GeoCities. This information will help us to build a better GeoCities for everyone.

Highest Level of Education Completed

Click for options

Household Income

Click for options

Marital Status

Click for options

Occupation

Click for options

Interests:

Once you press submit below, we'll build your initial home page for you and we'd like to include some information about you. Is it okay if we display your interests and e-mail address on your initial home page? Yes ☒ No ☐

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EXHIBIT A

GeoCities Homesteader Application

http://www.geocities.com/cgi-bin/homestead/new_ap [\(Main\)](#) [\(Neighborhoods\)](#) [\(Featured Content\)](#) [\(Members\)](#) [\(MarketPlace\)](#) [\(Search\)](#) [\(Join\)](#) [\(Help\)](#)

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EXHIBIT B

<http://www.geocities.com/members/info/email.htm>


MEMBERS - INFORMATION

GEOCITIES E-MAIL

15 MB
\$4.95
per Month

JOIN

Colosseum

From the Olympics to Pro sports, Colosseum runs the gamut for sports enthusiasts.

GeoCities - your home on the Web.

GeoCities Free Member E-mail ProgramEditors Note: [e-mail list info](#)

GeoCities is pleased to offer our free e-mail program for all of its members. Through the phenomenal success of our homesteading program, and the support of our advertisers and sponsors, we are able to provide a free e-mail account to everyone on the web.

This e-mail account will be your permanent e-mail address, so that even if you switch access providers, you will always have one address to call "home". You may also find it more convenient to receive your personal e-mail in your GeoCities account, to avoid the uncomfortable feeling of receiving personal e-mail at your place of business. Wherever you go to access the Internet, you can always check in on your GeoCities mailbox by configuring your Netscape Web Browser with the appropriate settings.

GeoCities recommends that you use Netscape for downloading, reading, and sending your GeoCities e-mail.

**Important Notice:**

Due to the overwhelming demand, we have been forced to place a few limitations on the member e-mail program. They are as follows:

- Mail left on the server over 7 days will be deleted. Please configure your Netscape browser to remove mail from server.
- All accounts are limited to 500kB of mailbox space at one time. This should be plenty for everyone, as long as mail is downloaded and removed from the server on a regular basis.

How do you sign up?**Current members:**

Go to the [GeoMail Manager](#) to sign up. Be sure to check the box next to "Please add GeoMail account".

Visitors and non-members:

In order to get your own free GeoCities e-mail account, go to our [Information Page](#) and read about our [free Personal Home Page Program](#). In a matter of minutes, you'll be completing the registration form and securing your own space in one of our 40 themed [Communities](#). Once you become a GeoCities member, a free e-mail account is just one of the many benefits that you'll receive while you're here. You'll be able to sign up for it while you're

Tools**Programs****Guidelines****Info****FTP Procedures****System Status****File types****Promote Your Page****GeoCities E-mail****Sponsorship Banners****Help**

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Geocities info: e-mail

<http://www.geocities.com/members/info/email.htm>

completing the application form.

We also offer the most user-friendly tools, including your choice of three home page editors. We allow unlimited page modifications through either of the home page editors or via FTP. We allocate three megabytes of disk space to allow you to fully express yourself, and support an incredible number of different filetypes to encourage your creativity.

Read about all of the other benefits of becoming a "GeoCitizen" and make plans to move in to your new home today.

You too can enjoy our e-mail List Service!

When homesteaders apply to GeoCities we ask if they would like to receive information on a variety of topics. We present this option because our staff keeps an eye out for value-added opportunities that our homesteaders might enjoy.

Before we send anything out, we deliver an orientation e-mail to explain the program, to ensure that only those people who requested topically-oriented mail receive it and to protect your privacy.

We assure you this is a free service provided only to GeoCitizens who request this information, and we will NEVER give your information to anyone without your permission.

To add or delete yourself from this list, please visit the profile editor.

[\(Main\)](#) [\(Neighborhoods\)](#) [\(Featured Content\)](#) [\(Members\)](#) [\(MarketPlace\)](#) [\(Search/Join\)](#) [\(Help\)](#)
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EXHIBIT C

From: world_report@list.geocities.com (GeoCities World Report)
To: world_report@list.geocities.com (GeoCities World Report)
Date: 97-09-04 13:49:02 EDT

GeoCities World Report
Vol. 2, No. 3
September 2, 1997

IN THIS ISSUE:
GeoCitizens honor Princess Di
Fun With Finance
Beat The Bookies!
Free Offers By E-mail
News You Can Choose
Get Back! Beatles Trivia

THE PEOPLE'S PRINCESS

Tragedy struck during Labor Day Weekend when Princess Diana's car crashed in Paris. People around the world are mourning and the mood in Cyberspace is no different.

"When I heard the news on Sunday night my wife and I decided to put up a page that honors Diana's accomplishments for people who would be interested in knowing more about her life," said GeoCitizen Steve Whitlock, who was interviewed for NBC's "Access Hollywood" about his Web page tribute to Diana at: <http://www.geocities.com/Heartland/Prairie/3322/>. "Since then I've been pretty overwhelmed. When I woke up in the morning I had more than 200 visits, that's more than I usually get in two months. This speaks to the power of the Internet as well as, of course, the life's work of Diana. This is unprecedented."

Here are some samples of the homesteads that have put up pages in honor of Diana:

<http://www.geocities.com/Tokyo/Temple/2742/princess.html>
<http://www.geocities.com/CollegePark/4642>
<http://www.geocities.com/Wellesley/1076/princess.html>
<http://www.geocities.com/Paris/Metro/9101>
<http://www.geocities.com/Paris/Metro/7849>
<http://www.geocities.com/Hollywood/Set/7883>
<http://www.geocities.com/SoHo/Studios/8197>
<http://www.geocities.com/Heartland/Prairie/7600>
<http://www.geocities.com/Heartland/Meadows/9548>
<http://www.geocities.com/TheTropics/Shores/9988>
<http://www.geocities.com/Paris/LeftBank/5943/>
<http://www.geocities.com/Area51/1047/privacy.htm>

As soon as the news hit the airwaves a special Sound Off was launched at: <http://www.geocities.com/features/SoundOff/>. The amazing pace of its growth is a tribute to the people Diana

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reached. Here are a few excerpts of the hundreds of postings from around the world:

"I live in a country which has major ties to Britain and it has saddened our entire nation. I think that it will be one of those days in history where I will remember what I was doing at the time I found out." - Kathryn, New Zealand

"It was the one of the saddest things that I've heard in my life. I'm very sad. She wasn't happy in all her life!!! I hope now she's in a better place, living forever." - Renata Zambrana Ortiz - Brazil

"We were all so shocked to hear of Princess Diana's death. She was such a lovely person, and very caring towards others less fortunate than herself. We are all thinking of, and praying for, her and Mr. Fayed's family at this sad time.....God Bless." - Limeyone, Cannock, England

"I only hope that her sons inherited such quality and become their own men despite their official future duties. I do believe the Queen will honor Diana with aplomb and due respect, she too is a Lady. My heart goes out to Harry, William, Charles and Sarah. God save us all. Peace." - Bermuda Onion

"You're the queen of hearts. There will be no person can take your place. You have been thru' on so many things in life. God took you away from us because He doesn't want you to suffer again in future." - Nurina Rahman, Malaysia

FINANCE TIPS FROM A FOURTEEN-YEAR OLD?

Wall Street's Investment Center is officially open for business at: <http://www.geocities.com/WallStreet/>. This week's highlighted homestead is Absolute Wall Street, authored by a 14-year-old GeoCitizen. Offering everything from current stock market reviews and an investor's guide to company reports and hot stock tips, this is a must-see resource if you're considering your next stock move, or just looking to get started.

Is your page a resource for WallStreeters looking to get ahead? Then maybe it belongs in the Investment Center. Send your GeoCities address to wallstreet@geocities.com.

BEAT THE BOOKIES!

Picture this: You open up your newspaper, yank out the Sports section and rip it apart looking for the scoop on the upcoming NFL season. There on the center of the page in a grid you know all too well, it's those sports columnists making their pro picks for the week. You browse their not-so-bold predictions and shake your head...you could do better.

Well, here is your chance to "Beat the Bookies." Each week, we're going to highlight four of our homesteaders at: <http://www.geocities.com/Colosseum/> who have published their picks (complete with comments) and Best Bet on their site. On Tuesday morning, the person with the best record is our winner for the week. The prize? Well, besides traffic to your site...and the honor of helping homesteaders with their picks...you get to take part in the following week's game! Sound kind of tempting? Write to <colosseum@geocities.com> for all the rules and regulations.

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FREE OFFERS BY E-MAIL

Wellesley homesteader Katie posted the following question in one of our discussion forums:

"I received this e-mail this evening. It's not the normal GeoCities format that I know and I don't remember saying I was interested in getting free offers. If I'm wrong, then I'm wrong. But if it's with GeoCities, wouldn't it have a geocities.com e-mail address like the other e-mails?"

The e-mail that Katie refers to came from our friends at CMG Direct Corporation. It was only sent to homesteaders who clicked a box in the topic list on the GeoCities application. The letter was meant as a heads-up to those people that information about the interests they selected would be coming from reputable companies.

To join the list or to delete yourself from this free service, simply visit the GeoCities profile editor at: http://www.geocities.com/members/tools/profile_editor.html and change your selections.

We are sorry about any confusion concerning these e-mails. We assure you that we will NEVER give your personal information to anyone without your permission.

NEWS YOU CAN CHOOSE

You will never have to surf, sift or struggle again to stay on top of the latest news. Now, InfoBeat offers a great service to the Internet community and gives you the power to select the stories you want to see and when you want to see them for the unbelievably, low price of ... FREE!

Choose from among eight different categories and three different delivery times. You select the news that interests you the most and the time that is most convenient to you. Clear, concise and informative summaries are delivered to your e-mail address. Life's too short to miss a beat. Get InfoBeat! To sign up go to: <http://www.geocities.com/join/infobeat.html>

SEARCHING FOR BEATLES

Just how big of a Beatles fan are you? Do you know who started the Beatles? What was John Lennon's first instrument? If you can answer these and other Beatles questions (or even if you can't because we give you the URLs with the answers) come play the SunsetStrip Search Contest at: <http://www.geocities.com/SunsetStrip/>. Three people will win a \$20 gift certificate from CDNow!

FEATURES

— Keeping up with all that's new and noteworthy in today's high tech world can be a real chore. If you need quick access to latest news and information, the CMPNet Tech Center is the place for you.

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<http://www.geocities.com/features/cmp/>

– GeoCities has a new Member Profile Editor. Please stop by:
http://www.geocities.com/members/tools/profile_editor.html and
 check it out so you know where to go to update your information.

– Are you keeping track of who is visiting your home page and
 when? Get a GUESTBOOK at:
<http://www.geocities.com/members/tools/guestbook.html> and start
 learning more about your guests.

– Chat this way <http://www.geocities.com/features/chat/>. We've
 introduced chat rooms into 10 neighborhoods and will soon be
 rolling out more new chat features. We have new HTML based chat
 and personal chat rooms on the horizon. Tell us what you think -
 send e-mail to chat@geocities.com with your comments about the new
 chat environment.

– Do you think your site deserves fame and fortune? Then apply for
 the Featured Page Program. Featured Pages are highlighted on the
 main page of every neighborhood and are eligible for our Enhanced
 GeoRewards program, where you can earn GeoPoints. Please go to:
http://www.geocities.com/join/featured_pages.html for details, or
 talk to one of your Community Leaders.

STUFF YOU NEED TO KNOW

Want to read about the most interesting sites at GeoCities?
<http://www.geocities.com/features/allis/>

Want free advertising for your site?
<http://www.geocities.com/join/georewards/>

Want information about GeoPlus?
<http://www.geocities.com/join/geoplus/>

Want to promote your page?
<http://www.geocities.com/members/info/promote.html>

Looking for more traffic?
<http://www.geocities.com/members/info/profile.html>

Don't want to get this newsletter anymore?
http://www.geocities.com/members/tools/profile_editor.html
 (While you're there, fill out the other stuff too)

Want to reach one of your Community Leaders?
 Go to the main page of your neighborhood
 Click on the COMMUNITY LEADERS link on the left

Need help?
<http://www.geocities.com/members/help/>

Want to provide feedback to GeoCities?
<http://www.geocities.com/main/contact/>
 Anytime. Anything, complimentary or critical.
 We want to hear from you.

 GeoCities

<http://www.geocities.com>

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EXHIBIT D

GeoCities - EnchantedForest

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More features on the new GeoGuide! [Click here.](#)
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Explore the Suburbs.

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- [Glade](#)
- [Dell](#)

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- [Graphics](#)
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- [Pen-pals](#)
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- [Schools](#)
- [Toys](#)
- [Other](#)

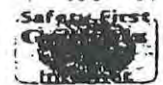
[Register Your Page](#)

Spice up your site with our NEW [Enchanted Forest Page Kit](#). Great free graphics for your site are just a few clicks away!



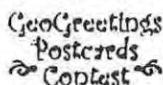
Princess Enchanted Forest and Prince Christofur invite you to visit [The Castle](#) in the Enchanted Forest. Here you will find special places to go, games to play, and wonderful

stories to read!

[Community Leaders - EnchantedForest Guidelines](#)

Join the [GeoKidz Club](#) for fun and HTML help. And remember... Safety First on the Internet!

Do you care about kids? Want to get involved in fun, safe online events for kids and families? Visit our [application page](#) to join the EnchantedForest Community Leader program!



Attention all graphic artists and designers! We want your artwork for a special series of Spring Break Postcards for [GeoGreetings](#). If you enjoy creating graphics and would like to have your work sent out across the Web this spring, then come over to the [GeoGreetings Postcards Contest](#) for more details.

[Get your bid in Now!](#)
[Auctions held daily.](#)



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[Click to Buy Tribute To Diana - Princess Of Wales](#)



[CDnow - A Better Music Store](#)

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[The Complete Tales of Winnie-the-Pooh](#)

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LYCA 3 browser

Search GeoCities

Search

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EXHIBIT D

Friday, February 20, 1998

9:56 AM

EXHIBIT E

(Web audio ad for Official GeoCities GeoKidz Club)

Welcome kids to this enchanting forest created by your friends for you to enjoy. . . . Join the GeoKidz Club at EnchantedForest/3696 for fun and HTML help. Play Java games and be sure to visit Charlie, the GeoKidz Club's new dog.

(Web audio ad: link from "Audio Description" icon on GeoCities Enchanted Forest home page, <http://www.geocities.com/EnchantedForest> (Exhibit D))

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EXHIBIT F

The GeoCities World Report
Vol. 2 No. 15
July 16, 1997

IN THIS ISSUE
The New GeoPlus!
Vote! Flash For Cash
'People' Like Us
Join The GeoKidz Club
Summer School?

GEOPLUS GETS A FACELIFT WITH NEW FEATURES

Rave reviews are pouring in about the revamped GeoPlus program. We gave the Community Leaders a sneak peak last week and now GeoPlus members are taking advantage by snagging tools like the cool CGIs from our new online library.

For those of you who aren't familiar with the program, GeoPlus gives you even more utilities, features and opportunities to take your homestead to the next level.

"Looks great!" wrote Becky, a SoHo Community Leader. "I really like the info listed down the left side. It's clean, simple and easy to navigate. And, CGIs with additional space? You've been reading our minds! I give it a big GeoPlus thumbs up."

Our new GeoPlus still includes the freedom of 10 megabytes of space, the ability to use subdirectories to manage your files, the convenience of a personalized URL, the rewards of double GeoPoints and the free trials to get great Internet products and services, but you also get FREE options like:

- *A library of great new CGI's featuring a variety of counters, a simple survey, a clock, Add-A-Link, an upgraded guestbook and many more new gadgets for your home pages

- *The ability to update your billing options at the click of a mouse

- *A powerful new GeoPlus Manager to keep on top of your current account status. The GeoPlus Manager was part of a special Community Leader contest to name our GeoPlus admin page. Several people submitted the name, but the first one was Bryan of West Hollywood. Congrats and thanks to all of our CLs for helping us critique the new GeoPlus program.

- *Direct access to the GeoCities File Manager from the GeoPlus Manager.

In addition to those great features, the new GeoPlus provides you with the option to purchase expandable disk space above the initial GeoPlus 10 megabytes in five-megabyte blocks and the option to have us help you secure a custom URL (www.anything.com).

To find out our more about the new GeoPlus or to sign up for this service, please visit <http://www.geocities.com/geoplus>.

VOTE: FLASH FOR CASH!

The 'Flash for Cash Photo Contest' voting booth is now open for business! Browse the finalists in five categories and cast your vote for

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who should win \$500. That's a total of \$2,500 up for grabs thanks to the folks at Storm Easy Photo.

Thanks to everyone who submitted a photo (or two or three...), we will be showing our appreciation by putting up an additional gallery of YOUR photos next week.

Go find out what fine photographers your fellow homesteaders are by visiting <http://www.geocities.com/contest/flash/>. And, by the way, it should be noted that in the "Funny/Outrageous" category - the action taking place is the preliminary trials of the Turtle Hurdles for the 1998 Animal Olympics. Well, either that -- or a mean game of leap frog. Don't forget to vote!

* * * * *

"PEOPLE" LIKE US

GeoCitizen Steve Schalchlin and his home page (<http://www.geocities.com/Broadway/1171>) will be featured in People Magazine next week for his inspiring "A Life of Survival Featuring A Songwriter With AIDS" site.

"They did an interview and also took photos," Steve reports. "They'll talk about the musical (Last Session) but the reporter was REALLY interested in the Web page. So, be on the lookout."

Another GeoCitizen in the news is surrealist painter J. Alden Kingston. He was recently featured in two Vancouver publications, but you don't have to find an out-of-town edition... just visit his home page at <http://www.geocities.com/SoHo/3061>

If your GeoCities home page has been featured in the news, please contact us at news@geocities.com

* * * * *

JOIN THE GEOKIDZ CLUB!

We all want a safe spot for our children to play and The GeoKidz Club is the perfect place. Enchanted Forest Community Leader Melange has been busy providing an HTML Center, games, message forums, a members' gallery and many more features for both parents and children to enjoy. The GeoKidz club is always growing and expanding, so visit <http://www.geocities.com/EnchantedForest/1696> often...and make sure to say hello to our virtual dog!

* * * * *

SUMMER IS THE PERFECT SEASON TO...

Write about your college! OK, it might sound strange, but stick with us...this is going to be fun. Don't you wish that when you went away to college someone had opened your eyes a little about what your school was really like or what kind of challenges you would actually face?

This is your chance to re-ignite those college memories, whether it was last year or last decade. All you have to do is design a page about university life and send it to us at collegepark@geocities.com. We will select cool pages to create a college catalog for prospective students to learn about college life and your academic institution.

Frat party warnings are OK, but show some school spirit and brag about your college! For a few examples that we found in our Featured Pages, please visit:

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<http://www.geocities.com/CollegePark/5014/Un.html>
<http://www.geocities.com/CollegePark/1802/index2.html>

 ALL ABOUT AUTOS

Hey Auto fans ... take a drive through the new GeoCities Car Center. Whether you're in the market for a new set of wheels, looking for expert advice, or just want to get the latest auto and racing news, we've got it from our friends at Auto-By-Tel. Check it out today at:
http://www.geocities.com/MotorCity/auto_center.html

 ENJOYING THE RIDE: GEOGUIDE

The GeoGuide is now served up on more than 100,000 pages day! And, it's not too late to win that computer, or a digital camera. To enter The Great GeoGuide Sweepstakes, please visit:
<http://www.geocities.com/homesread/geoguide/> and put a Java or GIF GeoGuide on your page.

 GEOCITIES IS STYLIN'

Drop by our newest neighborhood Fashion Avenue. Take a tour through the world of high fashion. Get weekly fashion and beauty news, browse through some great home pages, share tips and advice with fellow GeoCitizens, and while you're there don't forget to stop by the Avon Beauty Counter at:
http://www.avon.com/shopping/drill.cgi/D?a=login&f=geo_avon and order your favorite products online.

 EXPLORE PLANET DIRECT

A while back we told you about an exciting new feature that will bring even more visitors to your GeoCities Web site. Since then, Planet Direct, one of our sister companies, has launched its enhanced and expanded personal Web service, featuring powerful, easy-to-use features and content relevant to you, your interests and your community. Visit <http://my.planetdirect.com> and you could win cool prizes like a BMW Z1 roadster.

 FEATURES

-- The SoundOff section is growing by the second. Visit <http://www.geocities.com/SoundOff/> and speak out on Mike Tyson's punishment, the truth behind Roswell, exploring Mars and more!

-- Are you keeping track of who is visiting your home page and when? Get a GUESTBOOK at http://www.geocities.com/homesread/guest_book.html and start learning more about your guests.

-- Chat this way <http://www.geocities.com/BHT/newchat.html>. We've introduced new chat rooms into 10 neighborhoods and will soon be rolling out more new chat features. We have new HTML-based chat and personal chat rooms on the horizon. Tell us what you think -- send e-mail to chat@geocities.com with your comments about the new chat environment.

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-- Do you think your site deserves fame and fortune? Then, apply for the Featured Page Program. Featured Pages are highlighted on the main page of every neighborhood and are eligible for our Enhanced GeoRewards program, where you can earn GeoPoints for drawing traffic to your site. Go to <http://www.geocities.com/homestead/contribute.html> for details, or talk to one of your Community Leaders.

STUFF YOU NEED TO KNOW

Want to read about the most interesting sites at GeoCities?
<http://www.geocities.com/alist/>

Want to promote your page?
<http://www.geocities.com/homestead/promote.html>

Looking for more traffic?
<http://www.geocities.com/companies/profile.html>

Don't want to get this newsletter anymore?
<http://www.geocities.com/homestead/homeprof.html>
(While you're there, fill out the other stuff too)

Want to reach one of your Community Leaders?
Go to the main page of your neighborhood
Click on the COMMUNITY LEADERS link on the left

Need help?
<http://www.geocities.com/help/>
http://www.geocities.com/BHT/resource_guide.html

Want to provide feedback to GeoCities?
<http://www.geocities.com/contact/>
Anytime. Anything, complimentary or critical.
We want to hear from you.

.....
GeoCities
<http://www.geocities.com>

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<http://www.geocities.com/EnchantedForest/3696/Geokidz.htm>

Official GeoCities GeoKidz Club Membership Request Form

If you have any problems responding to this form,
(or if you are not using a forms-capable browser)
you may email your response to this form to: geokidz@geocities.com.
Parents can also use the above email link to email us if they'd like to.

Join the Official GeoCities GeoKidz Club!
Fill in the information here and send in the form.
Please fill in everything. Don't leave anything empty.

PLEASE GET YOUR PARENTS' PERMISSION to join!

This club is free. There is no cost to join.
All ages welcome - Kidz and Parents alike!

You must have a home page on GeoCities to be a member.
Please make sure you include your GeoCities home page address

Thank you!

Name:

Age:

Email Address:

If you don't have a GeoCities Email address yet, give us
your current email address and then let us know the GeoCities
address when you activate it. **But don't leave this blank. Thanks!**
Email address:

Alternate Email address:

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EXHIBIT G

You must have a home page in GeoCities to join the club. If you don't have one already, please let us know what it is as soon as you get it or we won't be able to sign you up.

<http://www.geocities.com/>

© Buy

Do you have your parents' permission to join the Official GeoCities GeoKidz Club?

0.50

☒ Yes, my parents will Email you

Some of your Interests and hobbies:



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Some of your favorite music, bands, etc.:

Some of your favorite movies:

Some of your favorite games (board games, computer games, outdoor games, ALL games):

We're not putting up a whole bunch of rules and regulations, but the general GeoCities guidelines, especially for the Enchanted Forest will apply here. By sending in this form, you agree to be respectful of others and not break GeoCities and Enchanted Forest rules.

Thank you for joining the Official GeoCities GeoKidz Club!

You'll hear back from us very soon! **If you don't hear from us within 2 - 3 days, please email us.** Some people have left out their names and email addresses so we can't answer!

We're looking forward to having you in the GeoCities GeoKidz Club!

Ready to join? Click this button!

Clear and Reset

This page hosted by



Get your own **Free Home Page**

© 1997 melange

EXHIBIT H

Enchanted Forest Neighborhood

Page 2

[COMMUNITY LEADERS](#)
[SEARCH](#)
[UTILITIES](#)
[HELP](#)

the
BEST
kids'
software

[Browse Great Pages Here](#)
[Join This Neighborhood](#)
[Visit Our Commercial Sponsors](#)

Tell us how to improve your neighborhood

■ SAY HI TO OUR NEW PARTNERS

We're pleased to welcome [RockVillage](#), [Earwig](#), [CountrySpotlight](#) and [GroovePlanet](#) to our GeoPartners program. These sites are affiliated with over 90 radio stations around the country. Tune in today!



\$10 off on your first purchase of \$50 or more at [Internet Shopping Network](#)

Shop for [computer products](#), [flowers](#) or [GeoCities logo items](#) ... or just play!

Read messages from your neighbors in the [EnchantedForest newsletter](#).
Contribute your own stories, birthday wishes and more!

Have you ever given your dad an OUTRAGEOUS Fathers Day gift? Tell us about it for our Father's Day Contest! All entrants will get this graphic to put on their pages to show off.



Join us in our quest to name our Prince and Princess, the mascots of Enchanted Forest! [Enter the contest](#) to name them by June 7th, and win 25 GeoPoints.

Please take a moment to read the [special content guidelines](#) relating to the EnchantedForest neighborhood.

Featured Enchanted Forest Homesteaders

Reload the page to see new features

[EnchantedForest/3115](#)

Kids Kewl Picks is a site by and for kids.

[EnchantedForest/3787](#)

Castle Infinity connects kids from around the world to one magical castle.

[EnchantedForest/6864](#)

Bryan is a San Francisco 49'ers fanatic.

[EnchantedForest/1534](#)

Ian's Cyber Place: a six-year-old's life.

Does your site belong here? [Tell us!](#)

[\[Home\]](#) [\[Neighborhoods\]](#) [\[Information\]](#) [\[What's New?\]](#) [\[What's Cool?\]](#) [\[Utilities\]](#)
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EXHIBIT I

<http://www.geocities.com/EnchantedForest/Glade/1890/hform.htm><http://www.geocities.com/EnchantedForest/Glade/1890/hform.htm>**ENTER THE HOLIDAY SEASON HOMEPAGE
CONTEST HERE**

Please tell us your name:

(Do not hit return)

Tell us the address (URL) of your special holiday page:

PLEASE ENTER THE URL AS

<http://www.geocities.com/EnchantedForest/1890/hform.htm>

Fill in your own information where the question marks are.

(Do not hit return)

What is your e-mail address?:

(Do not hit return)

**PLEASE BE SURE THAT YOUR HOLIDAY SEASONS PAGE IS READY
FOR DECEMBER 15TH.**

ENTER ME | OOPS - ERASE THIS PUPPY

GET YOUR FREE HOME PAGE [HERE](#)

EXHIBIT I

DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondent named in the caption hereof, and the respondent having been furnished thereafter with a copy of a draft of complaint which the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondent with violation of the Federal Trade Commission Act; and

The respondent, its attorneys, and counsel for Federal Trade Commission having thereafter executed an agreement containing a consent order, an admission by the respondent of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondent that the law has been violated as alleged in such complaint, or that the facts as alleged in such complaint, other than jurisdictional facts, are true and waivers and other provisions as required by the Commission's Rules; and

The Commission having considered the matter and having determined that it had reason to believe that the respondent has violated the said Act, and that complaint should issue stating its charges in that respect, and having thereupon accepted the executed consent agreement and placed such agreement on the public record for a period of sixty (60) days, and having duly considered the comments filed thereafter by interested persons pursuant to Section 2.34 of its Rules, now in further conformity with the procedure prescribed in Section 2.34 of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings and enters the following order:

1. Respondent GeoCities, is a corporation organized, existing, and doing business under and by virtue of the laws of the State of California, with its office or principal place of business located at 1918 Main Street, Suite 300, Santa Monica, California.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent, and the proceeding is in the proceeding is in the public interest.

ORDER

DEFINITIONS

For purposes of this order, the following definitions shall apply:

1. "*Child*" or "*children*" shall mean a person of age twelve (12) or under.
2. "*Parents*" or "*parental*" shall mean a legal guardian, including, but not limited to, a biological or adoptive parent.
3. "*Personal identifying information*" shall include, but is not limited to, first and last name, home or other physical address (e.g., school), e-mail address, telephone number, or any information that identifies a specific individual, or any information which when tied to the above becomes identifiable to a specific individual.
4. "*Disclosure*" or "*disclosed to third party(ies)*" shall mean (a) the release of information in personally identifiable form to any other individual, firm, or organization for any purpose or (b) making publicly available such information by any means including, but not limited to, public posting on or through home pages, pen pal services, e-mail services, message boards, or chat rooms.
5. "*Clear(ly) and prominent(ly)*" shall mean in a type size and location that are not obscured by any distracting elements and are sufficiently noticeable for an ordinary consumer to read and comprehend, and in a typeface that contrasts with the background against which it appears.
6. "*Archived*" database shall mean respondent's off-site "back-up" computer tapes containing member profile information and GeoCities Web site information.
7. "*Electronically verifiable signature*" shall mean a digital signature or other electronic means that ensures a valid consent by requiring: (1) authentication (guarantee that the message has come from the person who claims to have sent it); (2) integrity (proof that the message contents have not been altered, deliberately or accidentally, during transmission); and (3) non-repudiation (certainty that the sender of the message cannot later deny sending it).
8. "*Express parental consent*" shall mean a parent's affirmative agreement that is obtained by any of the following means: (1) a signed statement transmitted by postal mail or facsimile; (2) authorizing a charge to a credit card via a secure server; (3) e-mail accompanied by an electronically verifiable signature; (4) a procedure that is specifically authorized by statute, regulation, or guideline

issued by the Commission; or (5) such other procedure that ensures verified parental consent and ensures the identity of the parent, such as the use of a reliable certifying authority.

9. Unless otherwise specified, "*respondent*" shall mean GeoCities, its successors and assigns and its officers, agents, representatives, and employees.

10. "*Commerce*" shall mean as defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. 44.

I.

It is ordered, That respondent, directly or through any corporation, subsidiary, division, or other device, in connection with any online collection of personal identifying information from consumers, in or affecting commerce, shall not make any misrepresentation, in any manner, expressly or by implication, about its collection or use of such information from or about consumers, including, but not limited to, what information will be disclosed to third parties and how the information will be used.

II.

It is further ordered, That respondent, directly or through any corporation, subsidiary, division, or other device, in connection with any online collection of personal identifying information from consumers, in or affecting commerce, shall not misrepresent, in any manner, expressly or by implication, the identity of the party collecting any such information or the sponsorship of any activity on its Web site.

III.

It is further ordered, That respondent, directly or through any corporation, subsidiary, division, or other device, in connection with the online collection of personal identifying information from children, in or affecting commerce, shall not collect personal identifying information from any child if respondent has actual knowledge that such child does not have his or her parent's permission to provide the information to respondent. Respondent shall not be deemed to have actual knowledge if the child has falsely represented that (s)he is not a child and respondent does not knowingly possess information that such representation is false.

IV.

It is further ordered, That respondent, directly or through any corporation, subsidiary, division, or other device, in connection with the online collection of personal identifying information, in or affecting commerce, shall provide clear and prominent notice to consumers, including the parents of children, with respect to respondent's practices with regard to its collection and use of personal identifying information. Such notice shall include, but is not limited to, disclosure of:

A. What information is being collected (e.g., "name," "home address," "e-mail address," "age," "interests");

B. Its intended use(s);

C. The third parties to whom it will be disclosed (e.g., "advertisers of consumer products," mailing list companies," "the general public");

D. The consumer's ability to obtain access to or directly access such information and the means by which (s)he may do so;

E. The consumer's ability to remove directly or have the information removed from respondent's databases and the means by which (s)he may do so; and

F. The procedures to delete personal identifying information from respondent's databases and any limitations related to such deletion.

Such notice shall appear on the home page of respondent's Web site(s) and at each location on the site(s) at which such information is collected.

Provided that, respondent shall not be required to include the notice at the locations at which information is collected if such information is limited to tracking information and the collection of such information is described in the notice required by this Part.

Provided further that, for purposes of this Part, compliance with all of the following shall be deemed adequate notice: (a) placement of a clear and prominent hyperlink or button labeled **PRIVACY NOTICE** on the home page(s), which directly links to the privacy notice screen(s); (b) placement of the information required in this Part clearly and prominently on the privacy notice screen(s), followed on the same screen(s) with a button that must be clicked on to make it disappear; and (c) at each location on the site at which any personal

identifying information is collected, placement of a clear and prominent hyperlink on the initial screen on which the collection takes place, which links directly to the privacy notice and which is accompanied by the following statement in bold typeface:

NOTICE: We collect personal information on this site. To learn more about how we use your information click here.

V.

It is further ordered, That respondent, directly or through any corporation, subsidiary, division, or other device, in connection with the online collection of personal identifying information from children, in or affecting commerce, shall maintain a procedure by which it obtains express parental consent prior to collecting and using such information.

Provided that, respondent may implement the following screening procedure that shall be deemed to be in compliance with this Part. Respondent shall collect and retain certain personal identifying information from a child, including birth date and the child's and parent's e-mail addresses (hereafter "screening information"), enabling respondent to identify the site visitor as a child and to block the child's attempt to register with respondent without express parental consent. If respondent elects to have the child register with it, respondent shall: (1) give notice to the child to have his/her parent provide express parental consent to register; and/or (2) send a notice to the parent's e-mail address for the purpose of obtaining express parental consent. The notice to the child or parent shall provide instructions for the parent to: (1) go to a specific URL on the Web site to receive information on respondent's practices regarding its collection and use of personal identifying information from children and (2) provide express parental consent for the collection and use of such information. Respondent's collection of screening information shall be by a manner that discourages children from providing personal identifying information in addition to the screening information. All personal identifying information collected from a child shall be held by respondent in a secure manner and shall not be used in any manner other than to effectuate the notice to the child or parent, or to block the child from further attempts to register or

otherwise provide personal identifying information to respondent without express parental consent. The personal identifying information collected shall not be disclosed to any third party prior to the receipt of express parental consent. If express parental consent is not received by twenty (20) days after respondent's collection of the information from the child, respondent shall remove all such personal identifying information from its databases, except such screening information necessary to block the child from further attempts to register or otherwise provide personal identifying information to respondent without express parental consent.

VI.

Nothing in this order shall prohibit respondent from collecting personal identifying information from children or from using such information, as specifically permitted in the Children's Online Privacy Protection Act of 1998 (without regard to the effective date of the Act) or as such Act may hereafter be amended; regulations or guides promulgated by the Commission; or self-regulatory guidelines approved by the Commission pursuant to the Act.

VII.

It is further ordered, That respondent GeoCities, and its successors and assigns, shall provide a reasonable means for consumers, including the parents of children, to obtain removal of their or their children's personal identifying information collected and retained by respondent and/or disclosed to third parties, prior to the date of service of this order, as follows:

A. Respondent shall provide a clear and prominent notice to each consumer over the age of twelve (12) from whom it collected personal identifying information and disclosed that information to CMG Information Services, Inc., describing such consumer's options as stated in Part VII.C and the manner in which (s)he may exercise them. —

B. Respondent shall provide a clear and prominent notice to the parent of each child from whom it collected personal identifying information prior to May 20, 1998, describing the parent's options as stated in Part VII.C and the manner in which (s)he may exercise them.

C. Respondent shall provide the notice within thirty (30) days after the date of service of this order by e-mail, postal mail, or

facsimile. Notice to the parent of a child may be to the e-mail address of the parent and, if not known by respondent, to the e-mail address of the child. The notice shall include the following information:

1. The information that was collected (*e.g.*, "name," "home address," "e-mail address," "age," "interests"); its use(s) and/or intended use(s); and the third parties to whom it was or will be disclosed (*e.g.*, "advertisers of consumer products," "mailing list companies," "the general public") and with respect to children, that the child's personal identifying information may have been made public through various means, such as by publicly posting on the child's personal home page or disclosure by the child through the use of an e-mail account;

2. The consumer's and child's parent's right to obtain access to such information and the means by which (s)he may do so;

3. The consumer's and child's parent's right to have the information removed from respondent's or a third party's databases and the means by which (s)he may do so;

4. A statement that children's information will not be disclosed to third parties, including public posting, without express parental consent to the disclosure or public posting;

5. The means by which express parental consent may be communicated to the respondent permitting disclosure to third parties of a child's information; and

6. A statement that the failure of a consumer over the age of twelve (12) to request removal of the information from respondent's databases will be deemed as approval to its continued retention and/or disclosure to third parties by respondent.

D. Respondent shall provide to consumers, including the parents of children, a reasonable and secure means to request access to or directly access their or their children's personal identifying information. Such means may include direct access through password protected personal profile, return e-mail bearing an electronically verifiable signature, postal mail, or facsimile.

E. Respondent shall provide to consumers, including the parents of children, a reasonable means to request removal of their or their children's personal identifying information from respondent's and/or the applicable third party's databases or an assurance that such

information has been removed. Such means may include e-mail, postal mail, or facsimile.

F. The failure of a consumer over the age of twelve (12) to request the actions specified above within twenty (20) days after his/her receipt of the notice required in Part VII.A shall be deemed to be consent to the information's continued retention and use by respondent and any third party.

G. Respondent shall provide to the parent of a child a reasonable means to communicate express parental consent to the retention and/or disclosure to third parties of his/her child's personal identifying information. Respondent shall not use any such information or disclose it to any third party unless and until it receives express parental consent.

H. If, in response to the notice required in Part VII.A, respondent has received a request by a consumer over the age of twelve (12) that respondent should remove from its databases the consumer's personal identifying information or has not received the express consent of a parent of a child to the continued retention and/or disclosure to third parties of a child's personal identifying information by respondent within twenty (20) days after the parent's receipt of the notice required in Part VII.B, respondent shall within ten (10) days:

1. Discontinue its retention and/or disclosure to third parties of such information, including but not limited to (a) removing from its databases all such information, (b) removing all personal home pages created by the child, and (c) terminating all e-mail accounts for the child; and

2. Contact all third parties to whom respondent has disclosed the information, requesting that they discontinue using or disclosing that information to other third parties, and remove the information from their databases.

With respect to any consumer over the age of twelve (12) or any parent of a child who has consented to respondent's continued retention and use of personal identifying information pursuant to this Part, such consumer's or parent's continuing right to obtain access to his/her or a child's personal identifying information or removal of such information from respondent's databases shall be as specified in the notice required by Part IV of this order.

I. Within thirty (30) days after the date of service of this order, respondent shall obtain from a responsible official of each third party to whom it has disclosed personal identifying information and from each GeoCities Community Leader a statement stating that (s)he has been advised of the terms of this order and of respondent's obligations under this Part, and that (s)he agrees, upon notification from respondent, to discontinue using or disclosing a consumer's or child's personal identifying information to other third parties and to remove any such information from its databases.

J. As may be permitted by law, respondent shall cease to do business with any third party that fails within thirty (30) days of the date of service of this order to provide the statement set forth in Part VII.I or whom respondent knows or has reason to know has failed at any time to (a) discontinue using or disclosing a child's personal identifying information to other third parties, or (b) remove any such information from their databases. With respect to any GeoCities Community Leader, the respondent shall cease the Community Leader status of any person who fails to provide the statement set forth in Part VII.I or whom respondent knows or has reason to know has failed at any time to (a) discontinue using or disclosing a child's personal identifying information to other third parties, or (b) remove any such information from their databases.

For purposes of this Part: "third party(ies)" shall mean each GeoCities Community Leader, CMG Information Services, Inc., Surplus Software, Inc. (Surplus Direct/Egghead Computer), Sage Enterprises, Inc. (GeoPlanet/Planetall), Netopia, Inc. (Netopia), and InfoBeat/Mercury Mail (InfoBeat).

VIII.

It is further ordered, That for the purposes of this order, respondent shall not be required to remove personal identifying information from its archived database if such information is retained solely for the purposes of Web site system maintenance, computer file back-up, to block a child's attempt to register with or otherwise provide personal identifying information to respondent without express parental consent, or to respond to requests for such information from law enforcement agencies or pursuant to judicial process. Except as necessary to respond to requests from law enforcement agencies or pursuant to judicial process, respondent shall

not disclose to any third party any information retained in its archived database. In any notice required by this order, respondent shall include information, clearly and prominently, about its policies for retaining information in its archived database.

IX.

It is further ordered, That for five (5) years after the date of this order, respondent GeoCities, and its successors and assigns, shall place a clear and prominent hyperlink within its privacy statement which states as follows in bold typeface:

NOTICE: Click here for important information about safe surfing from the Federal Trade Commission.

The hyperlink shall directly link to a hyperlink/URL to be provided to respondent by the Commission. The Commission may change the hyperlink/URL upon thirty (30) days prior written notice to respondent.

X.

It is further ordered, That respondent GeoCities, and its successors and assigns, shall maintain and upon request make available to the Federal Trade Commission for inspection and copying the following:

A. For five (5) years after the last date of dissemination of a notice required by this order, a print or electronic copy in HTML format of all documents relating to compliance with Parts IV through IX of this order, including, but not limited to, a sample copy of every information collection form, Web page, screen, or document containing any representation regarding respondent's information collection and use practices, the notice required by Parts IV, V and VII, any communication to third parties required by Part VII, and every Web page or screen linking to the Federal Trade Commission Web site. Each Web page copy shall be accompanied by the URL of the Web page where the material was posted online. Electronic copies shall include all text and graphics files, audio scripts, and other computer files used in presenting information on the World Wide Web; and

Provided that, after creation of any Web page or screen in compliance with this order, respondent shall not be required to retain a print or electronic copy of any amended Web page or screen to the

extent that the amendment does not affect respondent's compliance obligations under this order.

B. For five (5) years after the last collection of personal identifying information from a child, all materials evidencing the express parental consent given to respondent.

XI.

It is further ordered, That respondent GeoCities, and its successors and assigns, shall deliver a copy of this order to all current and future principals, officers, directors, and managers, and to all current and future employees, agents, and representatives having responsibilities with respect to the subject matter of this order. Respondent shall deliver this order to current personnel within thirty (30) days after the date of service of this order, and to future personnel within thirty (30) days after the person assumes such position or responsibilities.

XII.

It is further ordered, That respondent GeoCities, and its successors and assigns, shall establish an "information practices training program" for any employee or GeoCities Community Leader engaged in the collection or disclosure to third parties of consumers' personal identifying information. The program shall include training about respondent's privacy policies, information security procedures, and disciplinary procedures for violations of its privacy policies. Respondent shall provide each such current employee and GeoCities Community Leader with information practices training materials within thirty (30) days after the date of service of this order, and each such future employee or GeoCities Community Leader such materials and training within thirty (30) days after (s)he assumes his/her position or responsibilities.

XIII.

It is further ordered, That respondent GeoCities, and its successors and assigns, shall notify the Commission at least thirty (30) days prior to any change in the corporation that may affect compliance obligations arising under this order, including, but not limited to, a dissolution, assignment, sale, merger, or other action that would result in the emergence of a successor corporation; the creation

or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this order; the proposed filing of a bankruptcy petition; or a change in the corporate name or address. Provided, however, that, with respect to any proposed change in the corporation about which respondent learns less than thirty (30) days prior to the date such action is to take place, respondent shall notify the Commission as soon as is practicable after obtaining such knowledge. All notices required by this Part shall be sent by certified mail to the Associate Director, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C.

XIV.

It is further ordered, That respondent GeoCities, and its successors and assigns, shall, within sixty (60) days after service of this order, and at such other times as the Federal Trade Commission may require, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

XV.

This order will terminate on February 5, 2019, or twenty (20) years from the most recent date that the United States or the Federal Trade Commission files a complaint (with or without an accompanying consent decree) in federal court alleging any violation of the order, whichever comes later; provided, however, that the filing of such a complaint will not affect the duration of:

- A. Any Part in this order that terminates in less than twenty (20) years;
- B. This order's application to any respondent that is not named as a defendant in such complaint; and
- C. This order if such complaint is filed after the order has terminated pursuant to this Part.

— Provided, further, that if such complaint is dismissed or a federal court rules that the respondent did not violate any provision of the order, and the dismissal or ruling is either not appealed or upheld on appeal, then the order will terminate according to this Part as though the complaint had never been filed, except that the order will not terminate between the date such complaint is filed and the later of the

deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

CONCURRING STATEMENT OF COMMISSIONER ORSON SWINDLE

I have voted in favor of final issuance of the consent order in this matter because its provisions are appropriate to remedy the alleged violations of the law by GeoCities, Inc. However, I want to emphasize that my support for these provisions as a remedy for alleged law violations in this particular case does not necessarily mean that I would support imposing these requirements on other commercial Internet sites through either legislation or regulation.

Complaint

127 F.T.C.

IN THE MATTER OF

ERNESTO L. RAMIREZ TORRES, D.M.D., ET. AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SEC. 5 OF THE FEDERAL TRADE COMMISSION ACT*Docket C-3851. Complaint, Feb. 5, 1999--Decision, Feb. 5, 1999*

This consent order, among other things, prohibits Ernesto L. Ramirez Torres, D.M.D., and other dentists in Juana Diaz, Coamo, and Santa Isabel, Puerto Rico, from fixing prices and engaging in a boycott in order to obtain higher reimbursement rates for dental services under Puerto Rico's government managed care plan.

Participants

For the Commission: *Steven Osnowitz, Gary Schorr, Michael Kades, Patricia Allen, David Pender, Robert Leibenluft, Anne Schenof, Daniel Ducore, Willard Tom, William Baer, Louis Silvia and Peter Gulyn.*

For the respondents: *Manuel Fernandez-Mejias, Hato Rey, Puerto Rico.*

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, as amended, and by virtue of the authority vested in it by said Act, the Federal Trade Commission ("Commission"), having reason to believe that the individuals named above, hereinafter respondents, violated the provisions of said Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint, stating its charges as follows:

PARAGRAPH 1. Respondents are dentists licensed and doing business under and by virtue of the laws of the Commonwealth of Puerto Rico. These dentists constitute a majority of the dentists in the contiguous municipalities of Juana Diaz, Coamo, and Santa Isabel, Puerto Rico. The respondents are:

(a) Ernesto L. Ramirez Torres, D.M.D., Calle Comercio #105, Juana Diaz, Puerto Rico;

(b) Eric D. Frontera Roura, D.M.D., Calle Mario Braschi #7, Coamo, Puerto Rico;