

Complaint

IN THE MATTER OF

TURN INC.CONSENT ORDER, ETC. IN REGARD TO ALLEGED VIOLATIONS OF
SECTION 5 OF THE FEDERAL TRADE COMMISSION ACT

Docket No. C-4612; File No. 152 3099
Complaint, April 6, 2017 – Decision, April 6, 2017

This consent order addresses Turn Inc.’s digital advertising that enables commercial brands and ad agencies to engage in targeted advertising, which is the practice of tracking a consumer’s activities or characteristics to deliver ads tailored to the consumer’s interests. The complaint alleges that Turn violated Section 5(a) of the FTC Act by falsely representing to consumers the extent to which consumers could restrict the company’s tracking of their online activities and the extent to which Turn’s opt-out applied to mobile app advertising. The consent order prohibits Turn from misrepresenting (1) the extent to which it collects, uses, discloses, retains, or shares Covered Information; and (2) the extent to which users may limit, control, or prevent Turn’s collection, use, disclosure, retention, or sharing of covered information.

Participants

For the *Commission*: Justin Brookman and Jamie Hine.

For the *Respondent*: Edward Holman, Maggie Lassack, Lydia Parnes, and Michael Rubin, Wilson Sonsini Goodrich and Rosati.

COMPLAINT

The Federal Trade Commission (“Commission”), having reason to believe that Turn Inc., a corporation, has violated provisions of the Federal Trade Commission Act (“FTC Act”), and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Turn Inc. (“Turn” or “Respondent”) is a privately owned Delaware corporation with its principal office or place of business at 901 Marshall Street, Ste. 200, Redwood City, CA 94063.

Complaint

2. The acts and practices of Respondent as alleged in this complaint have been in or affecting commerce, as “commerce” is described in Section 4 of the FTC Act.

RESPONDENT’S BUSINESS PRACTICES

3. Respondent is a digital advertising company that enables commercial brands and ad agencies to engage in targeted advertising, the practice of using data about a user’s interests in order to deliver online advertising targeted to the user’s interests.

4. Respondent advertises itself to be the “largest independent company in the advertising technology sector,” and states that half of the global online advertising inventory flows through Respondent’s platform. In addition, Respondent claims to reach “over 1.3 billion unique users per month via mobile,” and has “rich profile data on more than 99 percent of North American consumers.”

5. To track consumers across the Web for advertising and other purposes, Respondent uses “cookies” and “web beacons.” “Cookies” are unique, persistent text files stored in a consumer’s browser that allow a company to recognize that unique consumer when the consumer’s browser makes a connection to the company’s servers. Those connections are sometimes enabled by “web beacons,” which are invisible embedded codes in web pages that instruct the browser to connect to third party services such as Respondent’s. Consumers can delete or otherwise control cookies through settings in their web browsers.

6. To track consumers across mobile apps for advertising and other purposes, Respondent uses device advertising identifiers such as Apple iOS’s Identifier for Advertisers (“IDFA”) and Google’s advertising ID. Device advertising identifiers are useful for targeted advertising companies such as Respondent because many mobile applications cannot set or access browser cookies.

7. Although these device advertising identifiers cannot always be deleted or turned off, consumers concerned about tracking can disassociate themselves from their previous tracking history by resetting the advertising identifier at any time in either Apple’s iOS or Google’s Android settings. In order to ensure that

Complaint

resetting the advertising identifier effectively honors the consumer's preference, both Apple and Google contractually prohibit application developers from correlating, or syncing, the device advertising identifier with other identifiers, and from allowing third parties obtaining the advertising identifier via the application to do so. Microsoft Windows allows consumers to prevent advertising companies from collecting device advertising identifiers entirely.

8. Beginning in 2013, Respondent began to participate in a Verizon Wireless program that enabled Respondent and its clients to access certain demographic information provided by Verizon Wireless about Verizon Wireless users. To create a shared identifier allowing Verizon Wireless and companies participating in the program to uniquely identify each Verizon Wireless user, Verizon Wireless appended unique identifiers known as tracking headers ("X-UIDH headers") to its users' mobile Internet traffic. Verizon Wireless injected these X-UIDH headers into all unencrypted web requests for more than 100 million consumers on the Verizon Wireless data network. During the relevant time period, Verizon Wireless users had no means to prevent the transmission of the X-UIDH header.

9. Between February 2013 and January 2015, Respondent synced the X-UIDH header with other identifiers, including cookies and device advertising identifiers. This practice enabled Respondent to "keep state" on Verizon Wireless consumers – maintaining the linkage between the consumer's browser or device and an identifier associated with behavioral, demographic, or tracking data – even after a consumer had deleted cookies, reset the device advertising identifier, or both. That is, even if a consumer deleted cookies or reset the device advertising identifier, Respondent would be able to recognize the user by cross-referencing the unique X-UIDH header associated with the device.

10. Respondent's synchronization with the X-UIDH header also allowed it to recreate unique cookies even after a user had deleted them. In bidding on and delivering online advertising, Respondent was able to constantly synchronize its cookies on a user's device with the X-UIDH header. If a Verizon Wireless user later deleted her cookies, Respondent would attempt to set a

Complaint

new cookie containing the same unique identifier as the cookie the user had deleted.

11. Until at least April 2015, Respondent's website included a link to a privacy policy. Respondent's privacy policy applied both to ads displayed on browsers and within mobile applications. For example, it described its business as providing "relevant, tailored, and privacy-respecting advertisements to consumers viewing a publisher's properties (*e.g.*, websites, apps, content, etc.)...." (**Exhibit A**, Turn Privacy Guidelines).

12. Until at least April 2015, Respondent's privacy policy referenced only two tracking technologies: cookies and web beacons. The privacy policy also stated, expressly or by implication, that consumers could prevent Respondent's tracking by blocking or otherwise limiting cookies:

Cookies and web beacons

Turn uses cookies in connection with our technology. Cookies help Turn better understand the effectiveness of a Turn Ad (for example, by tracking the way in which you may respond to, select and interact with a Turn Ad or any content provided therein, or the site placement and context in which you view a Turn Ad). Turn's cookies also help control the number of times you view a Turn ad. Most internet browsers automatically accept cookies. You can instruct your browser, by editing in options, to stop accepting cookies or prompt you before accepting a cookie from the websites you visit. If you do not accept cookies, however, you may not be able to enjoy the full functionality of many of the websites you visit.

Turn also uses web beacons, in combination with cookies, to analyze usage patterns. The use of a web beacon allows Turn to record that a particular browser has visited a particular webpage, along with additional Non-PII that the website may choose to include with the beacon.

Complaint

Opt out from Tailored but Anonymous Advertising (Turn's choice mechanism) If you'd like to opt out of tailored advertising from Turn, please click [here](#) to be taken to our opt out page.

(**Exhibit A**, Turn Privacy Guidelines).

13. Despite the representation that consumers could opt out of tracking by instructing their browser to “stop accepting cookies,” Respondent continued to track consumers by using the Verizon X-UIDH header.

14. Respondent's opt-out page, linked to its privacy policy, provided instructions on how to opt out of Turn's tailored advertising. That page provided:

**Opting out may hurt the sites and apps you
love!**

Also, if you opt out, you may be making it harder for your favorite websites or apps to survive. This is because advertisers pay more money to deliver a tailored ad, and your favorite website/app makes more money when they show a tailored ad on their properties. Studies have shown that a significant portion of a publisher's revenue can come from tailored advertising, and this is particularly true for smaller websites. See 2014 DAA Study and 2010 NAI Study.

SO — if you still want to get ads, but prefer irrelevant ads over tailored ads based on anonymous information and you don't value the free content you enjoy, Turn will place an opt-out cookie on your browser. The opt-out cookie tells our servers not to deliver tailored, anonymous ads to you that deliver high value to the sites and apps you love. If you delete, block, or restrict cookies, or if you use a different computer or Internet browser, you may need to renew your opt-out choice.

(**Exhibit A**, Turn Privacy Guidelines).

Complaint

15. Through this statement, Respondent conveyed to consumers and to clients evaluating its services that its opt-out mechanism would be effective in blocking tailored, anonymous ads on websites and apps. However, the opt-out cookie applied only to mobile browsers, and was not effective in blocking tailored, anonymous ads on mobile applications.

VIOLATIONS OF SECTION 5 OF THE FTC ACT**Count 1: Misrepresentations about Deleting Cookies**

16. As described in paragraph 12, Respondent represented, directly or indirectly, expressly or by implication, that blocking or limiting cookies would restrict Respondent's ability to track consumers.

17. In fact, in many instances, blocking or limiting cookies did not restrict Respondent's ability to track consumers. Respondent continued to track Verizon Wireless customers who had deleted or blocked cookies through the X-UIDH header. Therefore, the representation set forth in paragraph 16 is false or misleading.

Count 2: Misrepresentations About Effectiveness of Opt-Out Mechanism

18. As described in paragraphs 11-14, Respondent represented, directly or indirectly, expressly or by implication, that consumers could opt out of tailored advertising on mobile applications through Respondent's opt-out page.

19. In fact, consumers could not opt out of tailored advertising on mobile applications through Respondent's opt-out page. Therefore, the representation set forth in paragraph 18 is false or misleading.

20. The acts and practices of Respondent as alleged in this complaint constitute deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act, 15 U.S.C. § 45(a).

THEREFORE, the Federal Trade Commission this sixth day of April, 2017, has issued this complaint against Respondent.

Complaint

By the Commission.

Exhibit A

Turn — Privacy Guidelines

CONTACT USCAREERSSYSTEM STATUSREGIONAL SITES

TURN

SolutionsDigital HubBlogEventsCompanyRequest



Trust

Privacy Guidelines

Privacy Policy

Information Collection and Use

Information Storage and Security

Information Sharing and Disclosure

Enforcement, Questions and Complaints

Partnerships and Associations

Consumer Opt-Out

Infringement Policy

Inventory Guidelines

Privacy Guidelines

Privacy Policy

Turn Inc. ("Turn") provides advertisers, their agencies, website and apps publishers, and data vendors (our "Business Partners") access to technologies and processes designed to display relevant, tailored, and privacy-respecting advertisements to consumers viewing a publisher's properties (e.g., websites, apps, content, etc.) (the "Turn Ads").

This privacy policy describes Turn's privacy practices as they pertain to (i) visitors to our website located at www.turn.com (our "Site"), and (ii) our tailored advertising technology service. If you'd like to understand our privacy practices as they pertain to information collected from and about our Business Partners, please click [here](#).

Turn participates in a number of self-regulatory organizations and adheres to those organizations' self-regulatory codes in the jurisdictions in which we operate. A list of our partnerships and associations is at the bottom of this page.

Site Privacy Policy

The Site is intended primarily to offer information about Turn and the services we provide.

Information Collected via the Site

We collect Personally Identifiable Information ("PII" or "Personal Information") from the Site ONLY when you choose to provide it to us. PII is any information that can be used to identify or locate a particular person or entity. This includes, but is not limited to: name, postal address, telephone number, or email address. For example, you may choose to send us PII about yourself in an email or by completing an online form on this Site. We use this information only to contact you to respond to your inquiry. Once collected, we will store your PII for a reasonable time for record keeping purposes. The information that we store is usually deleted as space requires or in the normal course of business.

We also collect Non-Personally Identifiable Information ("Non-PII") via the Site. Non-PII cannot be used to contact a particular person or entity. Non-PII may include your IP address, pages viewed on this Site, browser type, Internet Service Provider, the time/date of your visit to this Site, and your computer's operating system (e.g., Windows

Contact Information

For questions or concerns re: privacy, please send us an email at privacy@turn.com.

You may also contact us at:
Turn Inc.
835 Main St.
Redwood City, CA 94063-1901
Attention: Privacy Officer

<http://www.turn.com/trust/privacy-guidelines>

1/2

Complaint

Turn — Privacy Guidelines

XP). Turn uses this information for internal purposes such as to administer the Site, improve and customize the Site, help Turn understand and analyze how the Site is being used, and to track aggregate Site usage.

Cookies and Web Beacons

Turn uses cookies (small text files maintained by your browser, which may be session-specific or persistent) on this Site in order to help administer the Site. For more information about cookies, please visit <http://www.allaboutcookies.org/cookies>. Turn also uses web beacons in combination with cookies to analyze usage patterns on the Site. For more information about web beacons, please visit <http://www.allaboutcookies.org/faqs/beacons.html>.

Third Party Websites

Turn Ads may contain links to other websites, including those of our Business Partners. Such websites may use cookies and/or other data collection tools. Turn is not responsible for the privacy practices, policies or the content of such websites. Turn encourages everyone to read the posted privacy policies whenever interacting with any website to learn more about the privacy practices of that website. Turn has no control over the use of any information by third party websites, and you should exercise caution when deciding to disclose any PII. Similarly, while Turn contractually requires that our Business Partners adhere to law and industry self-regulatory codes such as those offered by the NAI, DAA, and eDAA, Turn does not have access to, or control of, the cookies and/or other data collection tools that may be placed on any advertisement by a third-party. This Privacy Policy does not cover the use of cookies and/or other data collection tools by any third party.

Access / Updating / Deleting your PII

If you'd like us to update, correct, delete, or deactivate any PII that you have provided to us on this Site, please send your request to us at privacy@turn.com and we will process your request within a reasonable period of time after receipt.

Request a Demo

Information Collection →

TRUST

[Privacy Guidelines](#)
[Consumer Opt-Out](#)
[Infringement Policy](#)
[Inventory Guidelines](#)

Copyright 2014 Turn Inc.

[f](#)
[t](#)
[g+](#)
[in](#)

Complaint

Turn — Information Collection and Use

CONTACT US CAREERS SYSTEM STATUS REGIONAL SITES

TURN Solutions Digital Hub Blog Events Company Request



Trust

Privacy Guidelines

- Privacy Policy
- Information Collection and Use**
- Information Storage and Security
- Information Sharing and Disclosure
- Enforcement, Questions and Complaints
- Partnerships and Associations

Consumer Opt-Out

Infringement Policy

Inventory Guidelines

Privacy Guidelines

Information Collection and Use

Overview of Turn's technology

Our technology collects information about the website(s) that a browser visits and the advertisements that a browser displays while online. You may encounter our technology when Turn or a Business Partner purchases online advertisements on a website that you visit, an app that you use, etc.; and/or when one of our Business Partners places one of our web beacons on a property that you visit or use.

We use the information collected by our technology in order to help make the Turn Ads you see more relevant to you, and for ad delivery and reporting purposes. By delivering a more relevant ad, Turn is an important participant in the keeping the internet free, dynamic, and vibrant! That is because advertisers will pay more to deliver a tailored ad, and the website or app you love gets more money when you receive a tailored ad. That helps the website or app keep doing what you love – providing you great content at a great price – usually FREE!

Our technology also offers data management services to Business Partners (our "Data Management Platform" or "DMP"). The Turn DMP enables Business Partners to collect, store, and analyze information about a browser or a user which may include PII. We provide Business Partners with a self-serve website tagging technology ("Flextag") that enables them to place data into the DMP. We require Business Partners using the DMP to adhere to the NAI Code and DAA Code or other applicable industry standards. We also contractually require that Business Partners don't bring PII or sensitive Non-PII audience segments into the DMP. However, Business Partners' use of the DMP is subject to their own privacy policies, not this one.

What information is collected?

Turn does not collect PII via our technology. If we discover that PII has been inadvertently collected by our technology (e.g., where a Business Partner has used Flextag to bring PII into the DMP), we will take reasonable steps to attempt to remove the PII and to address the situation with the party responsible for such inadvertent collection.

Complaint

Turn — Information Collection and Use

Our technology does collect and use Non-PII, including: the IP address used to access the Internet, the type of browser used, which, and how many Business Partner web pages have been viewed by a browser, search terms entered on Business Partner websites, referring and exit pages, and the date and time a Turn Ad was viewed. Turn also obtains Non-PII from third party data vendors that receive such Non-PII pursuant to their own privacy policies. Turn takes reasonable steps to attempt to ensure that our data vendors meet our privacy standards, but we cannot be held responsible for their privacy practices.

How is the information used?

Turn uses this information to analyze trends, identify the audience most likely to respond to an advertisement, and to tailor ads using only Non-PII. By delivering tailored ads, Turn helps advertisers, publishers, and you! You get better ads and the content you love has a better chance to thrive.

We also may aggregate this information and share it with Turn's affiliates, advertisers, employees, customers and Business Partners.

Turn does not create nor use any sensitive data segments to tailor ads on behalf of our advertiser clients. However, we recognize that consumers may have differing opinions regarding which data segments are sensitive. In order to provide transparency around potentially sensitive data segments collected and used by Turn, we will provide examples of them here. For example, we may collect health-related segments of consumers that we believe may have an interest in healthy living because they have visited websites that are focused on health-related topics such as yoga and healthy living. Similarly, we may collect finance-related segments of consumers that we believe may have an interest in investing because they've visited websites that are focused on investment strategies or searched for "investment tips".

While we don't consider any of the above data segments to be sensitive, we think it's important to provide this transparency to help you have a better idea of which segments might be collected by us, so you can make informed decisions.

Cookies and web beacons

Turn uses cookies in connection with our technology. Cookies help Turn better understand the effectiveness of a Turn Ad (for example, by tracking the way in which you may respond to, select and interact with a Turn Ad or any content provided therein, or the site placement and context in which you view a Turn Ad). Turn's cookies also help control the number of times you view a Turn Ad. Most Internet browsers automatically accept cookies. You can instruct your browser, by editing its options, to stop accepting cookies or prompt you before accepting a cookie from the websites you visit. If you do not accept cookies, however, you may not be able to enjoy the full functionality of many of the websites you visit.

Turn also uses web beacons, in combination with cookies, to analyze usage patterns. The use of a web beacon allows Turn to record that a particular browser has visited a particular webpage, along with additional Non-PII that the website may choose to include with the beacon.

Opt out from Tailored but Anonymous Advertising (Turn's choice mechanism)

If you'd like to opt out of tailored advertising from Turn, please click [here](#) to be taken to our opt out page.

Third party links and websites

Complaint

Turn — Information Collection and Use

Turn Ads may contain links to other websites, including those of our Business Partners. Such websites may use cookies and/or other data collection tools. Turn is not responsible for the privacy practices, policies or the content of such websites. Turn encourages everyone to read the posted privacy policies whenever interacting with any website to learn more about the privacy practices of that website. Turn has no control over the use of any information by third party websites, and you should exercise caution when deciding to disclose any PII. Similarly, while Turn contractually requires that our Business Partners adhere to law and industry self-regulatory codes such as those offered by the NAI, DAA, and eDAA, Turn does not have access to, or control of, the cookies and/or other data collection tools that may be placed on any advertisement by a third-party. This Privacy Policy does not cover the use of cookies and/or other data collection tools by any third party.

Information Relating to Children

Our products and services are designed for those 13 years of age and older. We do not knowingly collect PII from anyone under the age of 13 on the Site or via our technology. If we are made aware that we have received PII from someone under 13, we will use reasonable efforts to remove that information from our records.

Request a Demo

First Name Last Name

Email

Company Phone Number

Submit

CONTINUE THE TOUR

Information Storage and Security →

TRUST

[Privacy Guidelines](#) [Consumer Opt-Out](#) [Infringement Policy](#) [Inventory Guidelines](#)

Copyright 2014 Turn Inc.

[f](#) [t](#) [g+](#) [in](#)

Complaint

Turn — Information Storage and Security

CONTACT US CAREERS SYSTEM STATUS REGIONAL SITES

TURN Solutions Digital Hub Blog Events Company Request



Privacy Guidelines

- Privacy Policy
- Information Collection and Use
- Information Storage and Security**
- Information Sharing and Disclosure
- Enforcement, Questions and Complaints
- Partnerships and Associations

Consumer Opt-Out

Infringement Policy

Inventory Guidelines

Privacy Guidelines

Information Storage and Security

Data retention of Non-PII

We retain the Non-PII collected via our technology for as long as necessary for our reasonable and legitimate business purposes including fraud prevention. Data obtained to deliver tailored advertising is not typically used after 90 days.

Information Security

The security of your information is important to us. We have implemented reasonable security measures to protect the information in our care, both during transmission and once we receive it. This includes, but is not limited to the use of encryption. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while we strive to use commercially reasonable means to protect your information, we cannot guarantee its absolute security.

If you have any questions about our security practices, please send an email to us at privacy@turn.com.

Data integrity

Turn processes information in a way that is compatible with, and relevant to, the purpose for which it was collected. To the extent necessary for those purposes, we take reasonable steps to ensure that any information in our care is accurate, complete, current and reliable for its intended use.

Contact Information

For questions or concerns related to privacy, please send us an email at privacy@turn.com.

You may also contact us at:
Turn Inc.
835 Main St.
Redwood City, CA 94063-1901
Attention: Privacy Officer

Request a Demo

First Name Last Name

CONTINUE THE TOUR

Inform

Complaint

Tum — Information Storage and Security

Email _____

Company _____ Phone Number _____

Submit

Information Sharing and Disclosure →

TRUST

[Privacy Guidelines](#) [Consumer Opt-Out](#) [Infringement Policy](#) [Inventory Guidelines](#)

Copyright 2014 Tum Inc.

f t g+ in

Complaint

Turn — Information Sharing and Disclosure

CONTACT US CAREERS SYSTEM STATUS REGIONAL SITES

TURN

Solutions Digital Hub Blog Events Company Request



Privacy Guidelines >

Privacy Policy

Information Collection and Use

Information Storage and Security

> Information Sharing and Disclosure

Enforcement, Questions and Complaints

Partnerships and Associations

Consumer Opt-Out

Infringement Policy

Inventory Guidelines

Privacy Guidelines

Information Sharing and Disclosure

Turn will allow an individual access to the PII they have provided to us via the Site to the extent it is available and allow the individual to correct, amend or delete inaccurate information, except where the burden or expense of providing access would be disproportionate to the risks to the privacy of the individual, in the case in question or where the rights of persons other than the individual would be violated. If you'd like us to update, correct, delete, or deactivate any PII that you have provided to us, please send your request to us at privacy@turn.com and we will process your request within a reasonable period of time after receipt.

Disclosure of information to Third Parties

We may share information with Business Partners and other trusted third parties who provide services for us. These third party contractors are prohibited from using the information we provide for purposes other than performing services for us.

We may share Non-PII collected via our technology with Business Partners. Similarly, we may enhance the Non-PII collected via our technology with Non-PII collected from Business Partners. This information cannot be used to contact or identify any person individually.

We may disclose your information to third parties when we reasonably believe we are obligated to do so by law, and in order to investigate, prevent, or take action regarding suspected or actual prohibited activities, including but not limited to, fraud and situations involving potential threats to the physical safety of any person.

Finally, we may transfer information, including any PII collected via the Site, to a successor entity in connection with a corporate merger, consolidation, sale of assets, bankruptcy, or other corporate change.

Contact Information

For questions or concerns relating to privacy, please send us an email at privacy@turn.com.

You may also contact us at:
Turn Inc.
835 Main St.
Redwood City, CA 94063-1901
Attention: Privacy Officer

Request a Demo

<http://www.turn.com/trust/privacy-guidelines/information-sharing-disclosure>

1/2

Complaint

Turn — Information Sharing and Disclosure



First Name Last Name

Email

Company Phone Number

Submit

CONTINUE THE TOUR

Enforcement, Questions
and Complaints →

TRUST

[Privacy Guidelines](#) [Consumer Opt-Out](#) [Infringement Policy](#) [Inventory Guidelines](#)

Copyright 2014 Turn Inc.

f t g+ li

Complaint

Turn — Partnerships and Associations

CONTACT US CAREERS SYSTEM STATUS REGIONAL SITES

TURN Solutions Digital Hub Blog Events Company Request



Trust

Privacy Guidelines

- Privacy Policy
- Information Collection and Use
- Information Storage and Security
- Information Sharing and Disclosure
- Enforcement, Questions and Complaints**
- Partnerships and Associations

Consumer Opt-Out

Infringement Policy

Inventory Guidelines

Privacy Guidelines

Enforcement, Questions and Complaints

Turn uses reasonable processes to ensure compliance with this privacy policy and periodically verifies that the policy is accurate. We encourage you to raise any concerns using the contact information provided, and we will investigate and attempt to resolve any complaints and disputes regarding use and disclosure of information.

Turn complies with the U.S.-EU Safe Harbor Framework and the U.S.-Swiss Safe Harbor Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of Personal Information from European Union member countries and Switzerland. Turn has certified that it adheres to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement. To learn more about the Safe Harbor program, and to view our certification page, please visit <http://www.export.gov/safeharbor/>.

In compliance with the U.S.-EU and U.S.-Swiss Safe Harbor Privacy Principles, Turn commits to resolve complaints about your privacy and our collection or use of your personal information. European Union or Swiss citizens with inquiries or complaints regarding this privacy policy should first contact privacy@turn.com. Turn has further committed to refer unresolved privacy complaints under the US-EU and US-Swiss Safe Harbor Privacy Principles to an independent dispute resolution mechanism, the BBB EU SAFE HARBOR, operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed by Turn, please visit the BBB EU SAFE HARBOR web site at www.bbb.org/us/safe-harbor-complaints for more information and to file a complaint.

Contact Information

For questions or concerns relating to privacy, please send us an email at privacy@turn.com.

You may also contact us at:
Turn Inc.
835 Main St.
Redwood City, CA 94063-1901
Attention: Privacy Officer

Request a Demo

First Name Last Name

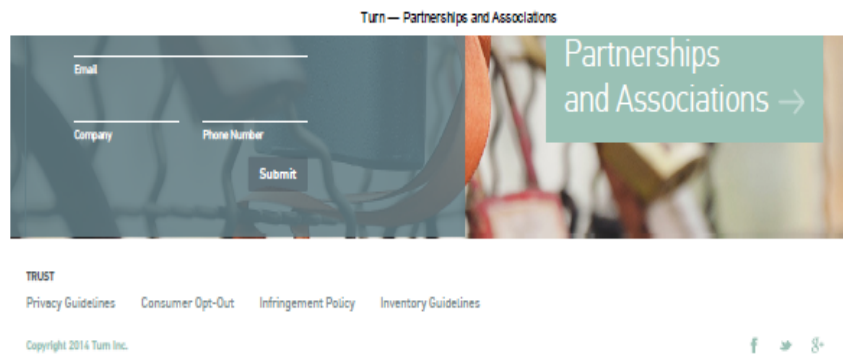
CONTINUE THE TOUR

<http://www.turn.com/trust/privacy-guidelines/enforcement-questions-complaints>

1/2

Complaint

Turn — Partnerships and Associations



Email _____

Company _____ Phone Number _____

Submit

Partnerships and Associations →

TRUST

[Privacy Guidelines](#) [Consumer Opt-Out](#) [Infringement Policy](#) [Inventory Guidelines](#)

Copyright 2014 Turn Inc.

[f](#) [t](#) [g+](#) [in](#)

Complaint

Turn — Partnerships and Associations

CONTACT US CAREERS SYSTEM STATUS REGIONAL SITES

TURN Solutions Digital Hub Blog Events Company Request



Trust

Privacy Guidelines

Partnerships and Associations

Networking Advertising Initiative

The [Network Advertising Initiative \(NAI\)](#) is a coalition of online advertising companies committed to complying with tough self-regulatory standards that establish and reward responsible business and data management practices. Turn is a participating member of NAI and compliant with NAI self-regulation principles.

The Digital Advertising Alliance

The [Digital Advertising Alliance \(DAA\)](#) is a coalition of digital advertising companies that have created a self-regulatory code for online behavioral advertising alliance. Turn is in compliance with the DAA Self-Regulatory Code.

The European Interactive Digital Advertising Alliance

The European Interactive Digital Advertising Alliance has been founded by a European industry coalition representing advertisers, the advertising agency sector, the direct marketing sector, the advertising network sector and the media sector. eDAA's principal purpose is to license the 'OBA Icon' to companies involved in Online Behavioural Advertising across Europe. The OBA Icon is a consumer-facing, interactive symbol that links consumers to an online portal, www.youronlinechoices.eu, where they can find easy-to-understand information on the practice of OBA as well as a mechanism for exercising informed choice – if they so wish, consumers may opt out of OBA by some or all companies.

U.S.-EU Safe Harbor

EU Safe Harbor Turn complies with the U.S.-EU Safe Harbor Framework and the U.S.-[Swiss Safe Harbor Framework](#) as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of Personal Information from European Union member countries and Switzerland. Turn has certified that it adheres to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement. To learn more about the Safe Harbor program, and to view our certification page, please visit <http://www.export.gov/safeharbor/> and [Turn](#)

Privacy Guidelines

Privacy Policy

Information Collection and Use

Information Storage and Security

Information Sharing and Disclosure

Enforcement, Questions and Complaints

Partnerships and Associations

Consumer Opt-Out

Infringement Policy

Inventory Guidelines

Contact Information

For questions or concerns related to privacy, please send us an email at privacy@turn.com.

You may also contact us at:
Turn Inc.
835 Main St.
Redwood City, CA 94063-1901
Attention: Privacy Officer

Complaint

Turn — Partnerships and Associations

Certification Page.

The Interactive Advertising Bureau

The Interactive Advertising Bureau is comprised of more than 500 leading media and technology companies that are responsible for selling 86% of online advertising in the United States. On behalf of its members, the IAB is dedicated to the growth of the interactive advertising marketplace, of interactive's share of total marketing spend, and of its members' share of total marketing spend.

Better Advertising

Turn also partners w/ Better Advertising, whose mission is to enable advertisers, their partners and industry associations to be more transparent in how consumer data is collected and used for online advertising. Working with Better Advertising's industry leading partners, Turn help develop tools and practices for marketers to ensure consumer privacy protection by providing consumers access to clear information and choices.

Request a Demo

First Name _____

Last Name _____

Email _____

Company _____

Phone Number _____

Submit

CONTINUE THE TOUR

Consumer Opt-Out →

TRUST

[Privacy Guidelines](#) [Consumer Opt-Out](#) [Infringement Policy](#) [Inventory Guidelines](#)

Copyright 2014 Turn Inc.

$$f \rightarrow g_+ \text{ in}$$

Complaint

Turn — Consumer Opt-Out

CONTACT US CAREERS SYSTEM STATUS REGIONAL SITES

TURN Solutions Digital Hub Blog Events Company [Request](#)



Trust

Privacy Guidelines

Consumer Opt-Out [▶](#)

Infringement Policy

Inventory Guidelines

[↑](#)
[Back to Top](#)

Consumer Opt-Out

Opt Out of Tailored, Anonymous Advertising & a Freer, More Dynamic Internet – our Choice Mechanism

We support empowering you to make informed decisions about advertisements that are delivered to you. If you'd like to opt out from tailored but anonymous ads based on your interests delivered by Turn and for Turn to stop collecting your non-personally identifiable information in order to do so, click the links below.

If you opt out, you will still see just as many ads! They will just be far more likely to be irrelevant to you.

Opting out may hurt the sites and apps you love!

Also, if you opt out, you may be making it harder for your favorite websites or apps to survive. This is because advertisers pay more to deliver a tailored ad, and your favorite website/app makes more money when they show a tailored ad on their properties. Studies have shown that a significant portion of a publisher's revenue can come from tailored advertising, and this is particularly true for smaller websites. See 2014 DAA Study and 2010 NAI Study.

SO - if you still want to get ads, but prefer irrelevant ads over tailored ads based on anonymous information and you don't value the free content you enjoy, Turn will place an opt-out cookie on your browser. The opt-out cookie tells our servers not to deliver tailored, anonymous ads to you that deliver high value to the sites and apps you love. If you delete, block, or otherwise restrict cookies, or if you use a different computer or Internet browser, you may need to renew your opt-out choice.

[Opt-out of Turn](#) [Opt-out of Turn Corporate Marketing](#)

Alternatively, you may control your privacy settings using the NAI or DAA Opt-out Tool which allows consumers to opt out of the behavioral advertising delivered by NAI or DAA member companies, respectively.

[DAA Opt-out Page](#) [NAI Opt-out Tool](#) [EDAA Opt-out Tool](#)

Complaint

Turn — Consumer Opt-Out

Deleting your PII | We do not collect PII via our technology. If you'd like us to update, correct, delete, or deactivate any PII that you may have provided to us on the Site, please send your request to us at privacy@turn.com and we will process your request within a reasonable period of time after receipt. See Privacy Policy.



Request a Demo

First Name Last Name

Email

Company Phone Number

Submit

CONTINUE THE TOUR

[Infringement Policy →](#)

TRUST

[Privacy Guidelines](#) [Consumer Opt-Out](#) [Infringement Policy](#) [Inventory Guidelines](#)

Copyright 2014 Turn Inc.



Decision and Order

DECISION

The Federal Trade Commission (“Commission”) initiated an investigation of certain acts and practices of the Respondent named above in the caption. The Commission’s Bureau of Consumer Protection (“BCP”) prepared and furnished to Respondent a draft Complaint. BCP proposed to present the draft Complaint to the Commission for its consideration. If issued by the Commission, the draft Complaint would charge the Respondent with violation of the Federal Trade Commission Act.

Respondent and BCP thereafter executed an Agreement Containing Consent Order (“Consent Agreement”). The Consent Agreement includes: 1) statements by Respondent that it neither admits nor denies any of the allegations in the Complaint, except as specifically stated in this Decision and Order, and that only for purposes of this action, it admits the facts necessary to establish jurisdiction; and 2) waivers and other provisions as required by the Commission’s Rules.

The Commission considered the matter and determined that it had reason to believe that Respondent has violated the Federal Trade Commission Act, and that a Complaint should issue stating its charges in that respect. The Commission accepted the executed Consent Agreement and placed it on the public record for a period of 30 days for the receipt and consideration of public comments. The Commission duly considered the comments received from interested persons pursuant to Commission Rule 2.34, 16 C.F.R. § 2.34. Now, in further conformity with the procedure prescribed in Rule 2.34, the Commission issues its Complaint, makes the following Findings, and issues the following Order:

Findings

1. Respondent Turn Inc., is a Delaware corporation with its principal office or place of business at 901 Marshall Street, Ste. 200, Redwood City, CA 94063.
2. The Commission has jurisdiction over the subject matter of this proceeding and over the Respondent, and the proceeding is in the public interest.

Decision and Order

ORDER**Definitions**

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

- A. “Clear[ly] and Conspicuous[ly]” means that a required disclosure is difficult to miss (*i.e.*, easily noticeable) and easily understandable by ordinary consumers, including in all of the following ways:
1. In any communication that is solely visual or solely audible, the disclosure must be made through the same means through which the communication is presented.
 2. In any communication made through both visual and audible means, such as a television advertisement, the disclosure must be presented simultaneously in both the visual and audible portions of the communication even if the representation requiring the disclosure is made through only one means.
 3. A visual disclosure, by its size, contrast, location, the length of time it appears, and other characteristics, must stand out from any accompanying text or other visual elements so that it is easily noticed, read, and understood.
 4. An audible disclosure, including by telephone or streaming video, must be delivered in a volume, speed, and cadence sufficient for ordinary consumers to easily hear and understand it.
 5. In any communication using an interactive electronic medium, such as the Internet or software, the disclosure must be unavoidable.
 6. The disclosure must use diction and syntax understandable to ordinary consumers and must

Decision and Order

appear in each language in which the representation that requires the disclosure appears.

7. The disclosure must comply with these requirements in each medium through which it is received, including all electronic devices and face-to-face communications.
 8. The disclosure must not be contradicted or mitigated by, or inconsistent with, anything else in the communication.
 9. When the representation or sales practice targets a specific audience, such as children, the elderly, or the terminally ill, “ordinary consumers” includes reasonable members of that group.
- B. “Computer” or “Device” means any desktop or laptop computer, handheld device, telephone, tablet, or other product or device, through which consumers access the Internet.
- C. “Covered Information” means information from or about an individual consumer, Computer, or Device, including, but not limited to, (a) an email address or other online contact information, such as a user name; (b) a persistent identifier, such as a unique ID held in an HTTP cookie, an Internet Protocol (“IP”) address, a Device Advertising Identifier, a mobile device ID, a MAC address, processor serial number, or Verizon Wireless’s X-UIDH header; (c) browsing history or other data about websites and applications that a device has accessed; (d) precise geolocation data of an individual or mobile device, including GPS-based, WiFi-based, or cell-based location information; or (e) an authentication credential such as a login ID or password.
- D. “Device Advertising Identifier” means a persistent identifier created by a Mobile Operating System to uniquely identify a device user for purposes of

Decision and Order

advertising, such as the iOS Identifier for Advertisers or Google advertising ID.

- E. “Mobile Operating System” means an operating system designed to run a mobile device such as a smartphone or tablet. A web browser shall not be considered a Mobile Operating System.
- F. “Respondent” means Turn Inc., a corporation, and its successors and assigns.
- G. “Targeted Advertising” means the practice of using data about a user’s interests in order to deliver online advertising targeted to the user’s interests. Contextual advertising targeted to the content of a particular webpage or application shall not be considered Targeted Advertising for the purposes of this Order.
- H. “Verizon Wireless’s X-UIDH headers” means the unique HTTP headers appended to web requests from Verizon Wireless customers that were observable by all servers receiving web requests from Verizon Wireless.

Provisions**I. Prohibition Against Misrepresentations about Privacy of Covered Information**

IT IS ORDERED that Respondent, and Respondent’s officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the online advertising, marketing, promotion, offering for sale, sale, or dissemination of any product or service, must not misrepresent, in any manner, expressly or by implication:

- A. The extent to which Respondent collects, uses, discloses, retains, or shares Covered Information; and

Decision and Order

- B. The extent to which consumers can limit, control, or prevent Respondent's collection, use, disclosure, retention, or sharing of Covered Information.

II. Required Disclosure and Opt-Out Mechanism

IT IS FURTHER ORDERED that, for so long as Respondent engages in Targeted Advertising, Respondent, directly or through any entity, in connection with the online advertising, marketing, promotion, offering for sale, sale, or dissemination of any product or service on websites and in mobile applications other than Respondent's, shall, within 30 days after the date of service of this order:

- A. Place a Clear and Conspicuous hyperlink on the homepage of the Turn website that states "Consumer Opt Out of Targeted Advertising." When selected, the hyperlink shall take consumers directly to the mechanism required by Part II.B of the order;
- B. On the webpage linked from the hyperlink described in II.A, provide a Clear and Conspicuous disclosure that explains what information is collected and used for Targeted Advertising, accompanied by a Clear and Conspicuous mechanism that enables users to opt out of such Targeted Advertising; and
- C. Describe the technologies and methods used for Targeted Advertising on its website.

III. Requirement to Honor Consumer Controls

IT IS FURTHER ORDERED that Respondent, whether acting directly or indirectly, in connection with the online advertising, marketing, promotion, offering for sale, sale, or dissemination of any product or service, must honor a signal it receives that indicates the activation of a Mobile Operating System control to opt out of or otherwise control or limit Targeted Advertising when:

Decision and Order

- A. Respondent knows or reasonably should know that it is receiving such a signal; and
- B. Respondent knows or reasonably should know that such signal indicates the activation of a Mobile Operating System control to opt out of or otherwise control or limit Targeted Advertising.

IV. Acknowledgments of the Order

IT IS FURTHER ORDERED that Respondent obtains acknowledgments of receipt of this Order:

- A. Respondent, within 10 days after the effective date of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.
- B. For 10 years after the issuance date of this Order, Respondent must deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees, agents, and representatives having managerial responsibilities for conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure as set forth in the Provision titled Compliance Reporting. Delivery must occur within 10 days after the effective date of this Order for current personnel. For all others, delivery must occur before they assume their responsibilities.
- C. From each individual or entity to which Respondent delivered a copy of this Order, Respondent must obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

V. Compliance Reporting and Notices

IT IS FURTHER ORDERED that Respondent make timely submissions to the Commission:

Decision and Order

- A. One year after the issuance date of this Order, Respondent must submit a compliance report, sworn under penalty of perjury, in which Respondent must: (1) identify the primary physical, postal, and email address and telephone number, as designated points of contact, which representatives of the Commission, may use to communicate with Respondent; (2) identify all of Respondent's businesses by all of their names, telephone numbers, and physical, postal, email, and Internet addresses; (3) describe the activities of each business; (4) describe in detail whether and how Respondent is in compliance with each Provision of this Order; and (5) provide a copy of each Acknowledgments of the Order obtained pursuant to this Order, unless previously submitted to the Commission.
- B. Respondent must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following: (1) any designated point of contact; or (2) the structure of Respondent or any entity that Respondent has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.
- C. Respondent must submit notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against Respondent within 14 days of its filing.
- D. Any submission to the Commission required by this Order to be sworn under penalty of perjury must be true and accurate and comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____" and supplying the date, signatory's full name, title (if applicable), and signature.

Decision and Order

- E. Unless otherwise directed by a Commission representative in writing, all submissions to the Commission pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: In re Turn Inc., FTC File No. 1523099.

VI. Recordkeeping

IT IS FURTHER ORDERED that Respondent must create certain records for 10 years after the issuance date of the Order, and retain each such record for 5 years. Specifically, Respondent must create and retain the following records:

- A. Accounting records showing the revenues from all goods or services sold;
- B. Personnel records showing, for each person providing services in relation to any aspect of the Order, whether as an employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;
- C. Copies or records of all consumer complaints or inquiries, whether received directly or indirectly, such as through a third party, concerning: (1) any collection of Covered Information by Respondent; (2) the use, disclosure, or sharing of such Covered Information by Respondent; or (3) opt-out practices or any other mechanism to limit or prevent such collection of Covered Information or the use, disclosure, or sharing of Covered Information collected by Respondent, as well as any responses to such complaints or inquiries;
- D. A copy of each publicly disseminated representation by Respondent that describes the extent to which Respondent collects, uses, discloses, retains, or shares Covered Information, including any representation

Decision and Order

concerning a change in any website or other service controlled by Respondent that relates Respondent's collection, use, disclosure, retention, or sharing of Covered Information; and

- E. All records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission.

VII. Compliance Monitoring

IT IS FURTHER ORDERED that, for the purpose of monitoring Respondent's compliance with this Order:

- A. Within 10 days of receipt of a written request from a representative of the Commission, Respondent must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury, and produce records for inspection and copying;
- B. For matters concerning this Order, representatives of the Commission are authorized to communicate directly with Respondent. Respondent must permit representatives of the Commission to interview anyone affiliated with Respondent who has agreed to such an interview. The interviewee may have counsel present; and
- C. The Commission may use all other lawful means, including posing through its representatives as consumers, suppliers, or other individuals or entities, to Respondent or any individual or entity affiliated with Respondent, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

Decision and Order

VIII. Order Effective Dates

IT IS FURTHER ORDERED that this Order is final and effective upon the date of its publication on the Commission's website (ftc.gov) as a final order. This Order will terminate on April 6, 2037, or 20 years from the most recent date that the United States or the Commission files a complaint (with or without an accompanying settlement) in federal court alleging any violation of this Order, whichever comes later; *provided, however*, that the filing of such a complaint will not affect the duration of:

- A. Any Provision in this Order that terminates in less than 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 Provision. 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 Provision 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.

By the Commission.

Analysis to Aid Public Comment

ANALYSIS OF CONSENT ORDER TO AID PUBLIC COMMENT

The Federal Trade Commission has accepted, subject to final approval, an agreement containing a consent order from Turn Inc. (“Turn”).

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission again will review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement’s proposed order.

This matter involves Turn, a digital advertising company that enables commercial brands and ad agencies to engage in targeted advertising, which is the practice of tracking a consumer’s activities or characteristics to deliver ads tailored to the consumer’s interests. The FTC complaint alleges that Turn violated Section 5(a) of the FTC Act by falsely representing to consumers the extent to which consumers could restrict the company’s tracking of their online activities and the extent to which Turn’s opt-out applied to mobile app advertising.

Specifically, the complaint alleges that until at least April 2015, Turn’s privacy policy misrepresented that consumers could prevent Turn’s tracking by blocking or otherwise limiting cookies. Contrary to representations that consumers could opt out of tracking by instructing their browser to “stop accepting cookies,” Turn tracked consumers by using and synchronizing the Verizon X-UIDH header, a unique identifier appended to the internet traffic of more than 100 million consumers on the Verizon Wireless data network. Even if a consumer deleted cookies or reset their device advertising identifier (*e.g.*, Apple’s IDFA or Google’s advertising ID), Turn would be able to recognize the user by cross-referencing the unique X-UIDH header associated with an individual consumer’s device. In fact, if a Verizon Wireless user deleted their cookies, Turn would attempt to set a new cookie containing the same unique identifier as the cookie the user had deleted, thereby maintaining the linkage between the

Analysis to Aid Public Comment

consumer's browser or device and an identifier associated with behavioral, demographic, or tracking data.

In addition, the complaint alleges that Turn's privacy policy misrepresented that its opt-out mechanism would be effective in blocking targeted advertising on both mobile websites and in mobile apps. Contrary to Turn's representations, Turn's opt-out applied only to mobile browsers, and was not effective in blocking ads in mobile applications.

The proposed consent order contains provisions designed to prevent Turn from engaging in similar acts and practices in the future. Part I of the proposed order prohibits Turn from misrepresenting (1) the extent to which it collects, uses, discloses, retains, or shares Covered Information; and (2) the extent to which users may limit, control, or prevent Turn's collection, use, disclosure, retention, or sharing of covered information. Part II of the proposed order requires Turn, within thirty days following service of the order, to place a clear and conspicuous hyperlink on the Turn website homepage that states "Consumer Opt Out of Targeted Advertising." The hyperlink must take consumers to a clear and conspicuous disclosure that explains what information Turn collects and uses for targeted advertising, and provides an effective opt-out mechanism that allows consumers to prevent Turn from collecting or using consumers' information. In addition, Turn's website must describe to consumers the technologies and methods it uses for targeted advertising. Part III of the proposed order requires Turn to honor mobile operating system control signal (*e.g.*, Apple's IDFA or Google's advertising ID) to opt out of or otherwise control or limit targeted advertising, where it knows or reasonably should know that it is receiving such a signal.

Parts IV through VIII of the proposed order are reporting and compliance provisions. Part IV requires acknowledgment of the order and dissemination of the order now and in the future to persons with managerial responsibilities relating to the subject matter of the order. Part V ensures notification to the FTC of changes in corporate status and mandates that Turn submit an initial compliance report to the FTC. Part VI requires Turn to retain documents relating to its compliance with the order for a five-year period. Part VII mandates that Turn make available to

Analysis to Aid Public Comment

the FTC information or subsequent compliance reports, as requested. Part VIII is a provision “sunsetting” the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed complaint order or to modify in any way the proposed orders terms.

Complaint

IN THE MATTER OF

ISPRING WATER SYSTEMS, LLCCONSENT ORDER, ETC. IN REGARD TO ALLEGED VIOLATIONS OF
SECTION 5 OF THE FEDERAL TRADE COMMISSION ACT

Docket No. C-4611; File No. 172 3033
Complaint, April 6, 2017 – Decision, April 6, 2017

This consent order addresses iSpring Water Systems, LLC’s marketing, sale, and distribution of water filtration systems and associated parts and accessories with claims that the products are of U.S.-origin. The complaint alleges that respondent represented that all of its products are “Built in USA,” when in fact, in many instances, respondent’s products are wholly imported or have significant inputs to its products sourced from overseas. The consent order prohibits iSpring from making U.S.-origin claims for its products unless either: (1) the final assembly or processing of the product occurs in the United States, all significant processing that goes into the product occurs in the United States, and all or virtually all ingredients or components of the product are made and sourced in the United States; or (2) a clear and conspicuous qualification appears immediately adjacent to the representation that accurately conveys the extent to which the product contains foreign parts, ingredients, and/or processing.

Participants

For the *Commission*: Julia Solomon Ensor.

For the *Respondent*: Pearl Cai, Vice President, *pro se*.

COMPLAINT

The Federal Trade Commission, having reason to believe that iSpring Water Systems, LLC, a limited liability company (“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 iSpring Water Systems, LLC (“iSpring”), also doing business as 123filter.com, is a Georgia limited liability company with its principal office or place of business at 3020 Trotters Parkway, Alpharetta, GA 30004.