



to disable the computer remotely. Showplace disables the computer when it is reported lost or stolen, or when a consumer is late making payments, has stopped communicating with Showplace, or has otherwise violated the rental contract. PC Rental Agent also enables Showplace to remotely install and activate an add-on program called Detective Mode. Using Detective Mode, Showplace can surreptitiously monitor the activities of the computer's user, including by using the computer's webcam. Through Detective Mode, Showplace can also secretly gather consumer's personal information using fake software registration windows.

4. Showplace installs PC Rental Agent on computers it rents to consumers prior to the consumer taking possession of the computer. The presence of PC Rental Agent is not detectible to a computer's user and the computer's renter cannot uninstall it.

5. Showplace can remotely install and activate Detective Mode on any computer with PC Rental Agent. Once activated, Detective Mode can log the keystrokes of the computer user, take screen shots of the computer user's activities on the computer, and photograph anyone within view of the computer's webcam. Detective Mode gathers this information and transmits it to Showplace, unbeknownst to the individual using the computer. Showplace does not tell the computer user about the activation of Detective Mode.

6. Using Detective Mode, Showplace has gathered data about whoever is using the computer, whether the user is the computer's renter or another individual. At one level of activation, Detective Mode will gather data every two minutes that the computer is connected to the Internet for a period of 60 minutes. If Showplace wants more information it can instruct Detective Mode to record data every two minutes when the computer is connected to the Internet. Showplace has gathered data about the user's name, address, phone number, and other personal information.

Showplace has gathered data about the user's name, address, phone number, and other personal information.

Showplace has used the information gathered to identify the user and to contact the user's credit card company.

of collection, e.g., using PC Rental Agent to remotely disable the computer, there are no legitimate benefits to respondent or to the public

9. Showplace has also used another feature of Detective Mode that allows it to cause a user's computer to display a fake registration window, purportedly for Microsoft Windows or other software. The fake registration window prompts the computer user to enter a name, address, email address, and phone number. The computer user must enter the requested information to close the window. A screenshot of one such fake software registration window appears below.

10. No actual software is registered as a result of a consumer providing the requested information; instead, Detective Mode captures the information entered in the prompt boxes and sends the data to Showplace. In numerous inst

## **VIOLATIONS OF THE FTC ACT**

### **COUNT I**

#### **Unfair Gathering of Consumers' Personal Information**

12. Through the means described in Paragraphs 3 through 11, respondent has installed monitoring software on rented computers and gathered, or caused to be gathered, sensitive personal information about consumers from those computers.

13. Respondent's actions cause or are likely to cause substantial injury to consumers that cannot be reasonably avoided and is not outweighed by countervailing benefits to consumers or competition.

14. Therefore, respondent's practices, as described in Paragraph 12, constitute unfair acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45(a).

### **COUNT II**

#### **Unfair Collection Practices**

15. Through the means described in Paragraphs 3 through 11, respondent has used information improperly gathered from consumers to collect or attempt to collect a debt, money,

cause the consumer to provide the requested contact information so that respondent can use this information in connection with collecting or attempting to collect debts, money, or property pursuant to consumer rental contracts.

20. Therefore, respondent's practices, as described in Paragraph 18, constitute deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45(a).

**THEREFORE**, the Federal Trade Commission this eleventh day of April, 2013, has issued this complaint against respondent.

By the Commission, Commissioner Wright not participating.

Donald S. Clark  
Secretary