Children for longer than reasonably necessa fyllföll the purpose for which the information was Collected.

- 3. Defendants neither admit nor deny any of athegations in the Complaint, except as specifically stated in thiorder. Only for purposes of this tieur, Defendants admitte facts necessary to establish jurisdiction.
- 4. Defendants waive any claim that they may thander the Equal Access to Justice Act, 28 U.S.C. § 2412, concerning the prosecution of this mattirough the date of this Order, and agree to bear their own costs and attorney fees.
- 5. Defendants and Plaintiff waive all rights toperal or otherwise challenge or contest the validity of this Order.

DEFINITIONS

For the purpose of this Ordene following definitions apply:

- A. "Affected Work Product" means any models or algorithms developed in whole or in part using Personal Information Collected fro@hildren through the Kurbo Program.
- B. "Child" means an individual under the age of 13.
- C. "Collects" or "Collection" means the gathering of any Perablmformation from a Child by any means, including but not limited to:
 - 1. Requesting, prompting, or encouraging a Choldubmit Personal Information online;
 - 2. Enabling a Child to make Personal Informationablicly available in identifiable form; or
 - 3. Passive tracking of a Child online.
- D. "Defendants' means Kurbo, Inc., a Delaware corption, and WW International, Inc., a Virginia corporation, individually, collectively, or in any combinational their successors and assigns.
- E. "Disclose" or "Disclosure" means, with respect to Personal Information:
 - 1. The Release of Personal Information **Colle**d by an Operator from a Child in identifiable form for any purpose, except were not operator provides such information to a Person who provides Support for the Interplaterations of the Website or Online Service; and

2. Making Personal Information Collected by an Op

K. "Persori' means any individual, partnership, corp**iora**t I dopdciion 60 4pdciio2n

- d. Serve contextual advertising on the websitenline service or cap the frequency of advertising;
- e. Protect the security or integrity of the user, website, or online service;
- f. Ensure legal or regulatory compliance; or
- g. Fulfill a request of a Child as per**neid** by Section 312.5(c)(3) and (4) of the COPPA Rule (attached as Appendix A);
- 2. So long as the information Collected for these vities listed in 14()-(g) is not used or Disclosed to contact a specific individual cluding through behavioral advertising, to amass a profile on a specific individual, or for any other purpose.
- O. "Third Party" means any Person who is not:
 - An Operator with respect to the Collection maintenance of Pensal Information on the website or online service; or
 - 2. A Person who provides Support for the InterOpelerations of the Vebsite or Online Service and who does not use or Discloser in ation protected under his part for any other purpose.
- P. "Verifiable Parental Consent' means making a reasonable effort (taking into consideration available technology) to ensure the personal Information collected from a Child, a Parent of the Child:
 - Receives notice of the Operator's Personadrimation Collection, use, and Disclosure practices; and
 - 2. Authorizes any Collection, usand/or Disclosure of the ersonal Information, using a method reasonably calculated light of available technolog to ensure that the Person providing consent is the Child's Parent.
- Q. "

ORDER Ι. INJUNCTION CONCERNING COLLECTION OF PERSONAL INFORMATION FROM CHILDREN IT IS ORDERED that Defendants and Defendants' officers, agents, employees, and attorneys, and all other Persons in active concert or participawith any of them, whoeceive actual notice of this Order, whether acting directby indirectly, in connetion with being an Operator of any Website or Online Service Directed to Children or of any websitenline service with autal knowledge that it is Collecting or maintaining Personal Information franchild, are hereby peamently restrained and enjoined from: A. Failing to make reasonable efforts, takintpiaccount available technology, to ensure that a Parent of a Child receive direct notice of Defendants ractices with regard to the Collection, use, or Disclosure of Persolmábrmation from Childra, including notice of any material change in the Collection, use Disclosure practices to which the Parent has previously consented, unless the Childs online Priva6-Persm8y consenteC /Spulog3 a/Top] >>usl004 Tc 0.0135 -2 d 55 D

1	D.	Retaining P	ersonal Informati@ollected online from Child for longer than reasonably
2		necessary to	o fulfill the purpose for wh the information was Collected; and
3	E.	Violating the	e Children's Online Privacy Proteon Rule, 16 C.F.R. Part 312 (attached a
4		Appendix A).
5	II.	INJUNCTIO	N CONCERNING CHIL DREN'S PERSONAL INFORMATION
6			PREVIOUSLY COLLECTED
7	IT IS	FURTHER O	RDERED that Defendants,feedants' officers, ægnts, employees, and
8	attorneys, ar	nd all other Po	ersonsaintive concert or participation withny of them, who receive actual
9	notice of this	Order, are o	rdered to:
0	A.	Refrain from	Disclosing, using, benefitting from Personal formation Collected from
1		Children tha	t Defendants Collected through the Kurbo Program prior to entry of this
2		Order unles	s Verifiable Partal Consent is obtained;
3	B.	Within thirty	(30) days of entry of this Ger, destroy all Persohlanformation Collected
4		through the	Kurbo Program by Defendants fraccounts that have not, by that date,
5		received dire	ect notice and providde∕erifiable Parental Consent;
6	C.	Within ninet	y (90) days of entry of th@rder, provide a written statement to the
7		Commission	n, sworn under penalty of perjury, that (1) describes the process through
8		which Defer	ndants provided direct notice amodight Verifiable Parental Consent for the
9		accounts the	rough which Personal Informativens Collected through the Kurbo Program
20		(2) identifies	the total numebrof accounts for which dect notice was provided, as well
21		as the numb	per of accounts:
22		(i)	that provided Verifialse Parental Consent;
23		(ii)	that affirmatively declined tprovide VerifiableParental Consent;
24		(iii)	that did not respond;
25		(iv)	that Parents requested be deletedrateceiving the diret notice provided
26		for ur	nder sub-provision B;
27			
0			

1		(v) where Parents engaged with Defendants by asking additional questions;
2		and
3		(3) confirms all informationelated to accounts for which Verifiable Parental Consent
4		was not received has been destroyed;
5	D.	Within ninety (90) days of entry of th@rder, delete or destroy any Affected Work
6		Product, and provide a written statementhe Commission, sworn under penalty of
7		perjury, confirming such detion or destruction;
8	E.	Provide additional description and writteatsments as follows. Any Affected Work
9		Product, or other matter thatefendants are otherwise reincut to delete or destroy
10		pursuant to this provision may be retadnend may be disclosed, as requested by a
11		government agency or otherwise required by, lægulation, court order, or other legal
12		obligation, including as required rules applicable to the feaguarding of evidence in
13		pending litigation. In each written statent to the Commission required by this
14		provision, Defendants shall describe in detail any relevant in the months that Defendants
15		retain on any of these bases and the speggifivernment agency, law, regulation, court
16		order, or other legal obligatin that prohibits Defendants fromeleting or destroying such
17		information. Within thirty (30) days after the obligation to retain the information has
18		ended, Defendants shall provian additional writtestatement to the Commission,
19		sworn under penalty of perjurconfirming that Defendantsave deleted or destroyed
20		such information; and
21	F.	Maintain and adhere to a retention schedule for Children's Personal Information
22		Collected through the Kurbo Program, setting of the purpose for which the information
23		is Collected, the specific business need to aining such Person Information, and a set
24		time frame and set of criteria for deletion soutch information which may not exceed one of
25		
26		
27		
28		

related to Section I or II of the Order; and (3) any busiss entity resulting from any
change in structure as set forth in the 150n titled Compliance Reporting. Delivery must
occur within seven (7) days of entry of this Order for current personnel. To all others,
delivery must occur before they assume their responsibilities.

C. From each individual or entity to which the dants delivered a copy of this Order,

Defendants must obtain, within 30 days; gened and dated acknowledgment of receipt

of this Order. This requirement may be stated through a digital ginature so long as the
individual's identity has been authenticated by gigital certificate is used by a certificate
authority and such digital ignature is bound to the knowledgement by means of
encryption.

V. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that Defendants makeely submissions to the Commission:

- A. One year after entry of this Order, eadefendant must submit compliance report, sworn under penalty of perjury:
 - 1. Each Defendant must: (a) identify the pary physical, postal, and email address and telephone number, as designated points on tact, which representatives of the Commission and Plaintiff may cuto communicate with Defendant;

 (b) identify all of that Defendant's bursesses by all of their names, telephone numbers, and physical, posterinal, and Internet addresses; (c) describe the activities of each business, including the goods and services offered, the means of advertising, marketing, and les, and the involvement any other Defendant;

 (d) describe in detail whether and how that Defendant is mpliance with each Section of this Order; (e) rovide a copy of each differ eversion of any privacy notice posted on each website or online service operated by Defendants that Collects Personal Information from Children or is a Website or Online Service Directed to Children or that is sent flarents of Children that gn up or register on each website or online service; (f) provide tatement setting forth in detail the

1	E.	Unless otherwise directed by a Commission espn tative in writing, all submissions to
2		the Commission pursuant to this Order mustemailed to DEbrief@ftc.gov or sent by
3		overnight courier (not the U.S.ostal Service) to: AssociaDirector for Enforcement,
4		Bureau of Consumer Protection, Feddermade Commission, 600 Pennsylvania Avenue
5		NW, Washington, DC 20580. The bject line must begin United States v. Kurbo, et al.
6		VI. RECORDKEEPING
7	IT IS	FURTHER ORDERED that Defendants mustate certain records for ten (10) years after
8	entry of the	Order and retain each such record for five (5) years. Specifical ny business that any
9	Defendant, i	ndividually or collective with any other Defendants, is manifold owner of or controls
10	directly or in	directly, Defendant musteate and retain the following records:
11	A.	Accounting records showing the revenues from all goods or services sold;
12	B.	All personnel records showing, for each Person providing services, whether as an
13		employee or otherwise, theterson's: name; addressesephenone numbers; job title or
14		position; dates of service; and (if applicable) the reason for termination;
15	C.	All records necessary to demonstrate full champe with each provision of this Order,
16		including all submissions to the Commission;
17	D.	Records of all consumer complaints relating to Defendants' Collection of Personal
18		Information from Children, whether receivedidectly or indirectly, such as through a
19		Third Party, and any response;
20	E.	Copies of communicationsnemerated in response to Section II.C(2)(v); and
21	F.	A copy of each materially different form, page, or screen created, maintained, or
22		otherwise provided by Defendantsdbgh which Defendants Collect Personal
23		Information from Children other than solelyparsistent identifier that can be used to
24		recognize a user over time and across different bsites or online seices or from any
25		Website or Online Service Directed to Child, and a copy of each materially different
26		document containing any reparentation regarding Deferrida' Collection, use, and
27		

Disclosure practices pertaining to Persdnaturmation of Children. Each webpage copy shall be accompanied by the URL of the we

VIII. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court retaijurisdiction of thismatter for purposes of construction, modification, anethforcement of this Order.

SO ORDERED this <u>U</u> @day of <u>0 D U F K</u>, 2022.

7 K R P D V 6 + L [V R Q UNITED STATES 0 \$ * , 6 7 5 \$ 7 (JUDGE

1	SO STIPULATED AND AGREED:
2	FOR PLAINTIFF UNITED STATES OF AMERICA
3	BRIAN M. BOYNTON
4	Principal Deputy Assistant Attorney General Civil Division
5	GUSTAV W. EYLER
6	Director
7	Consumer Protection Branch
8	LISA K. HSIAO Assistant Director
9	/s/
10	R/
11	ZACHARY L. COWAN Trial Attorneys
12	Consumer Protection Branch U.S. Department of Justice
13	450 5th Street NW
14	Washington, DC 20002
15	
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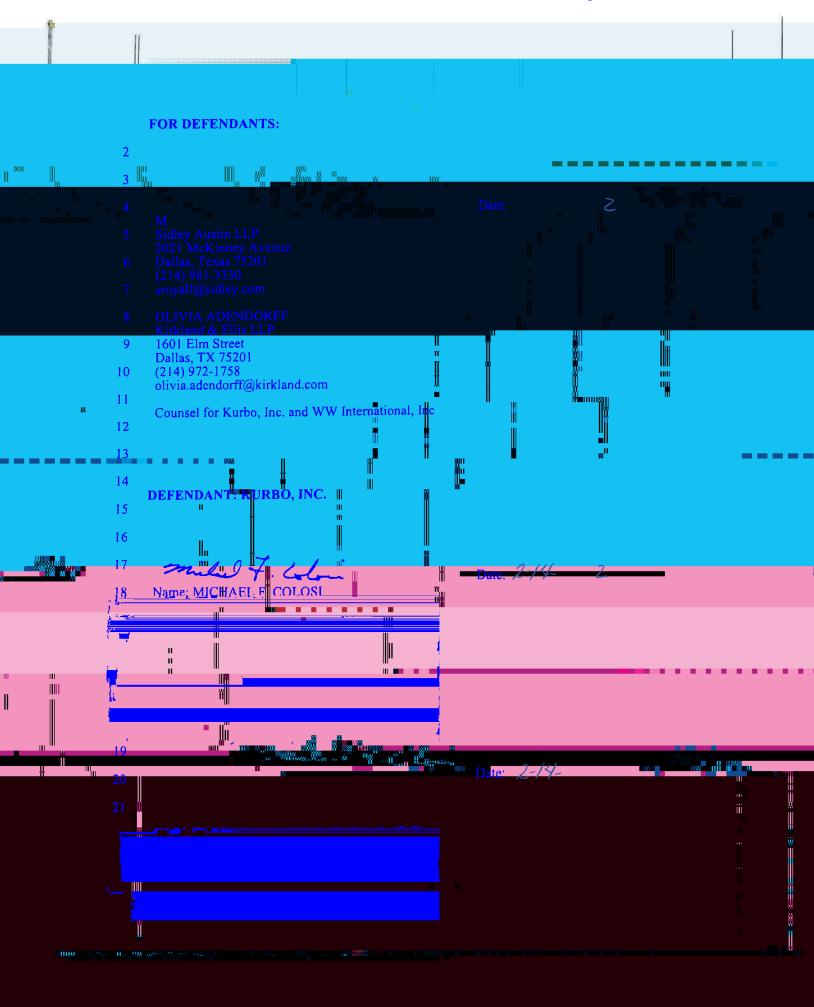
OF COUNSEL

FOR THE FEDERAL TRADE COMMISSION

KRISTIN COHEN
Acting Associate Director
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dwalko@ftc.gov



Appendix A

a erage firm-\ ide billing rate (artners and associates) in 2011\ as \$403, the a erage artner rate\ as \$482, and the a erage associate rate\ as \$303.

The Commission believes it reasonable to assume that the vorkload among lay firm artners and associates for COPPA commission liance muestions could be commetently addressed and efficiently distributed among attorneys at varying levels of seniority, but vould be veighted most heavily to more junior attorneys. Thus, assuming an an ortionment of typo-thirds of such vork is done by associates, and one-third by artners, a veighted average tied to the average firm-vide associate and average firm-vide artner rates, respectively, in the section of the control of typo-third artner rates, respectively.

res ecti. ely, in the t 2011 sur ey ould be about \$365 er hour. The Commission belie es that this rate B hich is ery near the mean of TIA's stated range of ur orted hourly rates that its members ty ically ay to engage counsel for COPPA com liance uestions B is an a ro riate measure to calculate the cost of legal assistance for o erators to com ly ith the final Rule amendments. 396

TIA also states that the 2012 SNPRM estimate of \$42 er hour for technical su ort is too lo , and that engaging e ert technical ersonnel can, on a erage, in ol e hourly costs that range from \$72 to \$108.397 Similar to TIA's hours estimate, discussed abo, e, the Commission belie es that TIA's estimate may ha e been based on im lementing re uirements that, ultimately, the Commission has determined not to ado t. For e am le, technical ersonnel ill not need to ensure" the security rocedures of third arties; o erators that ha e been eligible to use email lus for arental consents, ill not be re uired to im lement ne systems to re lace it. It is unclear \heather TIA's estimate for technical su ort is based on the tv es of disclosure-related tasks that the final Rule amendments, ould actually re uire, other tasks that the final Rule amendments, ould not re uire, or non-disclosure tasks not

396 f. Ci. il Di. ision of the nited States
Attorney's Office for the District of Columbia,
nited States Attorney's Office, District of
Columbia, Laffey Matri B 2003-2013,
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ff t 2003 2013. f(u dated Laffey

co ered by the PRA. Moreo er, unlike its estimate for la ver assistance, TIA's

estimates for technical labor are not accom anied by an ade uate e lanation of hy estimates for technical su ort dra n from BLS statistics are not an a ro riate basis for the FTC's PRA analysis. Accordingly, the Commission belief es it is reasonable to retain the 2012 SNPRM estimate of \$42 er hour for technical assistance based on BLS data.

Thus, for the 180 ne, o erators er year not re iously accounted for under the FTC's currently cleared estimates, 10,800 cumulative disclosure hours ould be commosed of 9,000 hours of legal assistance and 1,800 hours of technical sumort. A multiplication of technical sumort. A multiplication of technical sumort. A multiplication of technical sumort of \$365 and \$42, respectively, associated labor costs for the 180 ne of erators of otentially subject to the romosed amendments ould be \$3,360,600 (..., \$3,285,000 for legal sumort lus \$75,600 for technical sumort).

Similarly, for the estimated 2,910 e isting o erators co. ered by the final Rule amendments, 58,200 cumulative disclosure hours ould consist of 48,500 hours of legal assistance and 9,700 hours for technical su ort.

A lied at hourly rates of \$365 and \$42, res ectively, associated labor costs ould total \$18,109,900 (. ., \$17,702,500 for legal su ort lus \$407,400 for technical su ort).

Cumulatively, estimated labor costs for ne and e isting o erators subject to the final Rule amendments is \$21,47 Tfcosts

ould totalT*3T*(0 Td(\$3,285,0r5r legal)Tj-0range from \$245 er h le)Tj-0.0043 T T*(its e) technicharamen.00grambelilne cs a \$1ccaur fed \$21,47uld consist or5r legal

M:: 1 2003 2013. f(u dated Laffey Matri "for calculating reasonable" attorneys fees in suits in hich fee shifting is authori ed can be e idence of re ailing market rates for litigation counsel in the ashington, DC area; rates in table range from \$245 er hour for most junior associates to \$505 er hour for most senior artners).

 $^{^{397}\,\}mathrm{Toy}$ Industry Association (comment 89, 2012 SNPRM), at 18.

312.8 Confidentiality, security, and integrity of ersonal information collected from children.

312.9 Enforcement.

312.10 Data retention and deletion re uirements.

312.11 Safe harbor rograms.

312.12 oluntary Commission A ro al Processes.

312.13 Se erability.

Authority: 15 .S.C. 6501 6508.

§ 312.1 Scope of regulations in this part.

This art im lements the Children's Online Pri acy Protection Act of 1998, (15 .S.C. 6501, t ...) hich rohibits unfair or dece tile acts or ractices in connection ith the collection, use, and/or disclosure of ersonal information from and about children on the Internet.

§ 312.2 Definitions.

means an indi $\,$ idual under the age of 13.

t or t means the gathering of any ersonal information from a child by any means, including but not limited to:

(1) Re uesting, rom ting, or encouraging a child to submit ersonal information online;

(2) Enabling a child to make ersonal information ublicly a ailable in identifiable form. An o erator shall not be considered to ha e collected ersonal information under this aragra h if it takes reasonable measures to delete all or irtually all ersonal information from a child's ostings before they are made ublic and also to delete such information from its records; or

(3) Passi e tracking of a child online. means the Federal Trade

Commission.

t means to remode ersonal information such that it is not maintained in retriedable form and cannot be retrieded in the normal course of business.

means, ith

res ect to ersonal information:

(1) The release of ersonal information collected by an o erator from a child in identifiable form for any ur ose, e ce t here an o erator rolides such information to a erson ho rolides su ort for the internal o erations of the eb site or online service; and

(2) Making ersonal information collected by an o erator from a child ublicly a ailable in identifiable form by any means, including but not limited to a ublic osting through the Internet, or through a ersonal home age or screen osted on a eb site or online ser ice; a en al ser ice; an electronic mail ser ice; a message board; or a chat room.

means an agency, as that term is defined in Section 551(1) of title 5, nited States Code.

t t means collecti ely the myriad of com uter and telecommunications facilities, including e ui ment and o erating soft are, hich com rise the interconnected orld- ide net ork of net orks that em loy the Transmission Control Protocol/Internet Protocol, or any redecessor or successor rotocols to such rotocol, to communicate information of all kinds by ire, radio, or other methods of transmission.

rofile on a s ecific indiaidual, or for any other ur ose.

 $t \quad \text{means any} \quad \operatorname{erson}_{\,\,\backslash} \ \text{ho is}$ not:

- (1) An o erator ith res ect to the collection or maintenance of ersonal information on the eb site or online service: or
- (2) A erson ho ro ides su ort for the internal o erations of the eb site or online ser ice and ho does not use or disclose information rotected under this art for any other ur ose.

t means a commercial eb site or online ser ice, or ortion thereof, that is targeted to children.

- (1) In determining hether a eb site or online ser ice, or a ortion thereof, is directed to children, the Commission ill consider its subject matter, isual content, use of animated characters or child-oriented activities and incentives, music or other audio content, age of models, resence of child celebrities or celebrities, ho a eal to children, language or other characteristics of the eb site or online ser ice, as ell as hether ad ertising romoting or a earing on the eb site or online ser ice is directed to children. The Commission, ill also consider com etent and reliable em irical e, idence regarding audience com osition, and e idence regarding the intended audience.
- (2) A eb site or online ser ice shall be deemed directed to children hen it has actual kno ledge that it is collecting ersonal information directly from users of another eb site or online ser ice directed to children.
- (3) A eb site or online ser ice that is directed to children under the criteria set forth in aragra h (1) of this definition, but that does not target children as its rimary audience, shall not be deemed directed to children if it:
- (i) Does not collect—ersonal information from any sister—rior to collecting age information; and
- (ii) Pre ents the collection, use, or disclosure of ersonal information from isitors ho identify themsel es as under age 13 ithout first com lying ith the notice and arental consent ro isions of this art.
- (4) A be site or online service shall not be deemed directed to children solely because it refers or links to a commercial be site or online service directed to children by using information location tools, including a directory, inde by reference, ointer, or hy letter to the site of the service shall not be serviced as the service shall not be serviced by using information location tools, including a directory, inde by reference, ointer, or hy letter to the service shall not be serviced by the serviced shall not be deemed directed to children solely because it refers or links to a commercial be serviced by the ser

§ 312.3 Regulation of unfair or deceptive acts or practices in connection with the collection, use, and/or disclosure of personal information from and about children on the Internet.

t. It shall be unla, ful for any o erator of a eb site or online service directed to children, or any o erator that has actual knowledge that it is collecting or maintaining ersonal information from a child, to collect ersonal information from a child in a manner that it is the regulations rescribed under this art. Generally, under this art, an o erator must:

- (a) Pro_ide notice on the _ eb site or online ser_ice of _ hat information it collects from children, ho _ it uses such information, and its disclosure ractices for such information (312.4(b));
- (b) Obtain erifiable arental consent rior to any collection, use, and/or disclosure of ersonal information from children (312.5);
- (c) Pro ide a reasonable means for a arent to re ie the ersonal information collected from a child and to refuse to ermit its further use or maintenance (312.6);
- (d) Not condition a child's artici ation in a game, the offering of a ri e, or another acti ity on the child disclosing more ersonal information than is reasonably necessary to artici ate in such acti ity (312.7); and
- (e) Establish and maintain reasonable rocedures to rotect the confidentiality, security, and integrity of ersonal information collected from children (312.8).

§ 312.4 Notice.

- (a) ft. It shall be the obligation of the overator to rowide notice and obtain verifiable arental consent rior to collecting, using, or disclosing versional information from children. Such notice must be clearly and understandably ritten, complete, and must contain no unrelated, confusing, or contradictory materials.
- (b) t t t t t t. An o erator must make reasonable efforts, taking into account a ailable technology, to ensure that a arent of a child recei es direct notice of the o erator's ractices ith regard to the collection, use, or disclosure of ersonal information from children, including notice of any material change in the collection, use, or disclosure ractices to hich the arent has rejously consented.
 - (c) t t f t t t t t

ractices re uired under aragra h (d) of this section.

(3) t t f t312. 4 t t $egin{array}{ccccc} t & t & t \ t & t & t \end{array}$ t t t

. This direct notice shall set forth: (i) That the o erator has collected the child's online contact information from the child in order to ro, ide multi le online communications to the child;

- (ii) That the o erator has collected the arent's online contact information from the child in order to notify the arent that the child has registered to receie multi le online communications from the o erator;
- (iii) That the online contact information collected from the child ill not be used for any other ur ose, disclosed, or combined, ith any other information collected from the child;
- (i) That the arent may refuse to ermit further contact \ ith the child and re uire the deletion of the arent's and child's online contact information, and ho, the arent can do so;
- () That if the arent fails to res ond to this direct notice, the o erator may use the online contact information collected from the child for the ur ose stated in the direct notice; and
- (i) A hy erlink to the o erator's online notice of its information ractices re uired under aragra h (d) of this section.
- (4) t t rt312. t t $f^{\prime}t^{\prime}$. This direct notice shall
- (i) That the o erator has collected the name and the online contact information of the child and the arent in order to rotect the safety of a child;
- (ii) That the information \(\) ill not be used or disclosed for any ur ose unrelated to the child's safety;
- (iii) That the arent may refuse to ermit the use, and re uire the deletion, of the information collected, and ho the arent can do so;
- (i) That if the arent fails to res ond to this direct notice, the o erator may use the information for the ur ose stated in the direct notice; and
- () A hy erlink to the o erator's online notice of its information ractices re uired under aragra h (d) of this section.
- (d) t . In addition to the direct notice to the arent, an o erator must ost a rominent and clearly labeled link to an online notice of its information ractices, ith regard to children on the home or landing age or screen of its eb site or online ser ice, area of the eb site or online ser ice

here ersonal information is collected from children. The link must be in close ro imity to the re uests for information in each such area. An o erator of a general audience, eb site or online ser, ice that has a se arate children's area must ost a link to a notice of its information ractices, ith regard to children on the home or landing age or screen of the children's area. To be com lete, the online notice of the eb site or online ser ice's information ractices must state the follo, ing:

- (1) The name, address, tele hone number, and email address of all o erators collecting or maintaining ersonal information from children
- site or online ser ice may list the name, address, hone number, and email address of one o erator, ho, ill res ond to all in uiries from arents concerning the o erators' ri acy olicies and use of children's information, as long as the names of all the o erators collecting or maintaining ersonal information from children through the $\$ eb site or online service are also listed in the notice;
- (2) A descrition of hat information the o erator collects from children, including hether the eb site or online service enables a child to make ersonal information ublicly a ailable; ho, the o erator uses such information; and, the o erator's disclosure ractices for such information; and
- (3) That the arent can relie or have deleted the child's ersonal information, and refuse to ermit further collection or use of the child's information, and state the rocedures for doing so.

§ 312.5 Parental consent.

- (a) t . (1) An o erator is re uired to obtain, erifiable arental consent before any collection, use, or disclosure of ersonal information from children, including consent to any material change in the collection, use, or disclosure ractices to hich the arent has rejously consented.
- (2) An o erator must give the arent the o tion to consent to the collection and use of the child's ersonal information, ithout consenting to disclosure of his or her ersonal information to third arties.
- t. (1) An o erator must make reasonable efforts to obtain, erifiable arental consent, taking into consideration a ailable technology. Any method to obtain, erifiable arental consent must be reasonably calculated,

in light of a ailable technology, to ensure that the erson ro iding consent is the child's arent. (2) E isting methods to obtain, erifiable arental consent that satisfy the re uirements of this aragra h include:

(i) Pro iding a consent form to be signed by the arent and returned to the o erator by ostal mail, facsimile, or electronic scan;

(ii) Re uiring a arent, in connection ith a monetary transaction, to use a credit card, debit card, or other online ayment system that ro ides notification of each discrete transaction to the rimary account holder;

(iii) Ha ing a arent call a toll-free tele hone number staffed by trained ersonnel:

(i) Ha ing a arent connect to trained ersonnel, ia, ideo-conference;

- () erifying a arent's identity by checking a form of go ernment-issued identification against databases of such information, here the arent's identification is deleted by the o erator from its records rom tly after such erification is com lete; or
- t t, an o erator that (, i) does not disclose" (as defined by 312.2) children's ersonal information, may use an email cou led, ith additional ste s to ro, ide assurances that the erson ro iding the consent is the arent. Such additional ste s include: Sending a confirmatory email to the arent follo, ing recei t of consent, or obtaining a ostal address or tele hone number from the arent and confirming the arent's consent by letter or tele hone call. An o erator that uses this method must ro, ide notice that the arent can recoke any consent given in res onse to the earlier email.
- . A safe harbor rogram a ro ed by the Commission under 312.11 may a rove its member o erators' use of a arental consent method not currently enumerated in aragra h (b)(2) of this section, here the safe harbor rogram determines that such arental consent method meets the re uirements of aragra h (b)(1) of this section.

t. erifiable arental consent is re uired rior to any collection, use, or disclosure of ersonal information from a child

t as set forth iny043 T_v 6.709 Pnobtain