



United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

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April 2, 2015

Mr. Edward Palmieri
Associate General Counsel, Privacy
Facebook, Inc.
1155 F. Street, NW Suite 475
Washington, DC 20004

VIA EMAIL

Re: *In the Matter of Facebook, Inc.*, FTC Docket No. C-4365

Dear Mr. Palmieri:

I am writing to remind Facebook (“the Company”) of its compliance obligations under Parts VIII, IV, V, and I of the Order in the above-referenced matter when the Company experiences corporate changes such as acquisitions.

First, Part VIII requires the Company to notify the Commission within fourteen days of “any change in Respondent that may affect compliance obligations arising under [the] order, including, but not limited to, . . . the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this order.” (emphasis added). Whenever a corporate change such as an acquisition may affect the design and/or implementation of the Company’s privacy program, the Company must notify the Commission.

Second, Part IV provides that the reasonableness of the Company’s privacy program’s design and operation depends on the Company’s size and complexity, the nature and scope of its activities, and the sensitivity of the Covered Information. Corporate changes such as acquisitions are likely to affect several, if not all, of these factors. The Company, therefore, has an obligation to evaluate the appropriateness of its privacy program in light of any such changes.

Third, Part V requires the Company to obtain periodic Assessments, which address the ongoing effectiveness of the Company’s privacy program. To comply with Part V, the Assessment must address the safeguards required by Part IV, which may change in response to corporate changes like acquisitions. The Assessment must also explain how these safeguards are appropriate to the Company’s changing size and complexity, the nature and scope of its

activities, and the sensitivity of the Covered Information. Prompt and thorough communication with the Assessor about corporate changes such as acquisitions that may affect compliance obligations should facilitate the assessment of the Company's privacy program.

Finally, Part I provides that the Company shall not misrepresent the extent to which it maintains the privacy or security of Covered Information. The Company has an obligation to ensure that, as of the date of acquisition, the representations of companies it acquires are truthful and non-misleading.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura D. Koss". The signature is written in a cursive, flowing style.

Laura D. Koss

cc: PricewaterhouseCoopers