



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

Division of Privacy and Identity Protection
Bureau of Consumer Protection

January 10, 2017

Via Federal Express

The Electronic Privacy Information Center
Marc Rotenberg, Esq., President and Executive Director
1718 Connecticut Avenue, N.W.
Suite 200
Washington, D.C. 20009

Institute for Public Representation
Laura M. Moy, Esq., Acting Director
Georgetown University Law Center
600 New Jersey Avenue, N.W.
Suite 312
Washington, D.C. 20001

Dear Mr. Rotenberg and Ms. Moy:

I am writing to acknowledge your recent complaint to the Federal Trade Commission regarding the data collection and use practices of the toy manufacturer Genesis Toys and the speech recognition technology provider Nuance Communications. Thank you for raising this issue with us.

As you know, the FTC enforces Section 5 of the FTC Act, which prohibits companies from engaging in unfair and deceptive acts or practices in or affecting commerce, and the Children's Online Privacy Protection Act (COPPA), which imposes obligations on covered operators that collect personal information from children under 13 years of age. Your complaint asserts that both Genesis Toys and Nuance Communications, Inc. unfairly and deceptively collect, use, and share personal information from children in violation of the FTC Act. In addition, your complaint alleges that the companies have violated COPPA by failing to provide adequate notice and obtain verifiable parental consent before collecting children's personal information, including audio files of children's voices. Commission staff will carefully review your complaint.

Please be advised that any Commission investigation is non-public until the Commission decides to issue a formal complaint or close the investigation. As a result, we can neither confirm nor deny that we are conducting an investigation of the issues raised by your complaint. If you have any additional information you wish to provide about this matter, please contact me at (202) 326-3538 or via e-mail at pmagee@ftc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peder Magee', with a long horizontal flourish extending to the right.

Peder Magee
Division of Privacy and Identity Protection

cc: Claire Gartland, Esq.
Director, EPIC Consumer Privacy Project

Chris Laughlin, Esq.
Clinical Teaching Fellow, Institute for Public Representation