

bankruptcies, tax liens, civil judgments, lawsuits, state criminal records, small claims and civil judgments, home value, email address, and publicly available online profiles. Respondents' "Reverse Lookup" service can return the name of an individual associated with a particular phone number or property address.

5. Since June 2009, respondents have offered a "PrivacyLock" service to allow consumers to block the appearance of their name and address in respondents' search results. Respondents charged \$10 for their "PrivacyLock" service, with certain exceptions. If consumers checked a box indicating that they were victims of identity theft, victims of domestic violence, law enforcement officials, or public and/or elected officials, and provided supporting documentation, respondents waived the \$10 fee. Respondents stopped charging the fee on or about May 24, 2010.

6. During the time period that respondents offered and charged a fee for the "PrivacyLock" service, approximately 6,775 consumers requested the service, of whom 4,960 consumers paid the \$10 fee.

7. The "PrivacyLock" service offered by respondents was advertised on respondents' privacy policy page on their website. The privacy policy stated: "If you want to remove your information from our site, please click here to learn how" (the words "click here" were a hyperlink that redirected consumers to the "PrivacyLock" page).

8. In connection with the sale of the "Privacy Lock" service, respondents made the following representation on their privacy policy page, as well as on the "PrivacyLock" page:

A. "US Search obtains most of the information for our products and services from partners who generally obtain it from public records. We do not maintain or control the public records, and we are unable to remove your name from any public records. We do however offer individuals the ability to lock their records on US Search in accordance with laws and US Search policy. Our PrivacyLock service will prevent your name and address from appearing on the (1) US Search Website, (2) US Search Advertisements (advertisements "powered by US Search"), and (3) US Search Reports. There is a service charge of \$10.00 per request. Please allow up to 2 business days for your records to be locked. We guarantee that your record will be locked for a period of 1 year."

9. Additionally, in standard communications with consumers who inquired about the "PrivacyLock" service respondents represented the following:

A. "What do I get for my money?"

"When you enroll in the US Search PrivacyLock Service, you are taking a valuable step in securing your personal information. While many information providers either don't offer or don't honor privacy solutions, US Search quickly

processes each request and provides verifiable results that can be backed by our 1 year promise.”

B. “Why do I have to pay?”

“In addition to removing your information from the US Search website, your information will be suppressed from our affiliate and advertisers websites as well. Once again, this process is backed by our 1 year promise to remove any listings that may reappear at your request.”

10. Through the means described in Paragraphs 8 and 9, respondents represented, directly or indirectly, expressly or by implication, that the purchase or use of respondents’ “PrivacyLock” would prevent a consumer’s name from appearing on respondents’ website, in respondents’ advertisements, and in respondents’ search results.

11. In truth and in fact, in many instances respondents’ “PrivacyLock” does not prevent the names of consumers from appearing on respondents’ website, in respondents’ advertisements, and in respondents’ search results. The “PrivacyLock” does not block a consumer’s information from appearing in the results of a “reverse search” on the consumer’s phone number or address, or in a search of the consumer’s address in real estate records. Further, the “PrivacyLock” does not block a consumer’s name from showing up as an associate of someone else in a search for another person’s name. When consumers change addresses, new records may be generated that are not be subject to the “PrivacyLock.” When consumers have multiple records in existence (*e.g.*, John T. Smith and John Thomas Smith), the “PrivacyLock” may apply to only one record. Therefore, the representation set forth in Paragraph 10 was, and is, false or misleading.

12. The acts and practices of respondents 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.

THEREFORE, the Federal Trade Commission, this fourteenth day of March, 2011, has issued this complaint against respondents.

By the Commission.

Donald S. Clark
Secretary

SEAL: