



United States of America
FEDERAL TRADE COMMISSION
East Central Region

1111 Superior Avenue, Suite 200
Cleveland, Ohio 44114
(216) 263-3455

Jon Miller Steiger
Director

August 23, 2022

CEASE AND DESIST DEMAND

VIA EMAIL TO:

kaushal.bhavsar@oneeyetelecom.com
admin@oneeyetelecom.com

One Eye LLC
c/o Kaushal Bhavsar, CEO
500 Delaware Avenue, Suite #1-1960
Wilmington, DE 19899

We have determined that One Eye LLC is apparently routing and transmitting illegal robocall traffic, directly or indirectly, for entities involved in the following campaigns:

- Amazon imposter – authorized order
- Amazon imposter – suspicious charge
- Amazon imposter – unauthorized order
- Authorized order
- Government imposter – Social Security Administration
- Law enforcement or legal action notice

More specifically, our investigation revealed that One Eye LLC apparently routed and transmitted illegal robocalls, as set forth in Attachment A.

The Federal Trade Commission (FTC) works closely with USTelecom's Industry Traceback Group (ITG), which is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks.¹ Between November 19, 2021 and July 18, 2022, ITG investigated 50 prerecorded voice message calls that law enforcement, voice service providers using honeypots (i.e., unassigned numbers held by providers to detect illegal robocalls), and customers of YouMail had flagged as illegal robocalls made without consent of the called party.² ITG conducted tracebacks and determined that One Eye LLC routed and transmitted the calls. ITG previously notified you of these calls and provided you access to supporting data identifying

¹ See Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, 133 Stat. 3274, Sec. 13(d) (2019) (TRACED Act).

² See 16 C.F.R. § 310.4(b)(1)(v).

each call—including a recording of the illegal robocall—as indicated in Attachment A. Further, the numerous traceback notices directed to One Eye LLC indicate that you are apparently routing and transmitting illegal robocall traffic knowingly. **IF YOU ARE ENGAGED IN THESE ACTIVITIES, THEN YOU MUST IMMEDIATELY CEASE AND DESIST FROM ENGAGING IN THEM.**

The FTC, the nation’s consumer protection agency, enforces the Federal Trade Commission Act (FTC Act), 15 U.S.C. § 45 et seq., which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the Telemarketing Sales Rule (TSR), 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing practices. Section 310.3(b) of the TSR prohibits “assisting and facilitating” certain specified conduct.³ Under that provision, it is unlawful for any person or entity to “provide substantial assistance or support to any seller or telemarketer when that person knows or consciously avoids knowing that the seller or telemarketer is engaged in any act or practice that violates Sections 310.3(a), (c), or (d), or Section 310.4 of this Rule.” These Sections prohibit, among others, the following conduct:

- Making a false or misleading statement to induce any person to pay for goods or services or to induce a charitable contribution (16 C.F.R. § 310.3(a)(4));
- Misrepresenting a seller or telemarketer’s affiliation with any government entity (16 C.F.R. § 310.3(a)(2)(vii));
- Transmitting false or deceptive caller ID numbers (16 C.F.R. § 310.4(a)(8));
- Initiating or causing the initiation of calls that deliver prerecorded messages,⁴ unless the person called provided the seller express written permission to call (16 C.F.R. § 310.4(b)(1)(v)); and
- Initiating or causing the initiation of telemarketing calls to numbers listed on the National Do Not Call Registry, unless the person called provided express written permission to receive calls from the seller or the seller had an existing business relationship with the person called (16 C.F.R. § 310.4(b)(1)(iii)(B)).

The FTC can obtain civil penalties for TSR violations. Each illegal call is subject to a maximum civil penalty of \$46,517. *See* 16 C.F.R. § 1.98. In addition, a violation of the TSR is a violation of Section 5 of the FTC Act. *See* 15 U.S.C. §§ 6102(c), 57a(d)(3), 45(a). Accordingly, the FTC has authority to seek both preliminary and permanent injunctive relief to address TSR violations. *See* 15 U.S.C. § 53(b). The FTC may also seek the refund of money or payment of damages to address TSR violations. *See* 15 U.S.C. § 57b(b).

Combating illegal telemarketing is a top priority for the FTC, with a special emphasis on halting illegal robocalls.⁵ We want you to be aware that the FTC has, for example, brought

³ A copy of the TSR is attached as Attachment B.

⁴ These calls are often referred to as “robocalls.”

⁵ In fiscal year 2021, the FTC received more than 5 million complaints about unwanted calls, including more than 3.42 million robocall complaints. The FTC maintains an interactive Tableau Public web page that publishes details about do not call complaints on a quarterly basis. *See* <https://public.tableau.com/profile/federal.trade.commission#!/vizhome/DoNotCallComplaints/Maps>.

assisting and facilitating claims against technology companies that knowingly provided software and servers used by illegal robocallers, even though these technology companies did not contract directly with the illegal robocallers. *See FTC v. James B. Christiano*, Case No. 8:18-cv-00936 (C.D. Cal. May 31, 2018).

We also bring to your attention that the FTC has sued VoIP service providers for allegedly violating the TSR. In *FTC v. Educare*, the FTC alleged that defendant Globex Telecom, Inc. assisted and facilitated telemarketers it knew, or consciously avoided knowing, were violating the TSR's prohibitions on calls delivering prerecorded messages. *See FTC v. Educare Centre Services, Inc.*, No. 3:19-cv-00196-KC (W.D. Tex. Dec. 3, 2019).⁶ In September, 2020, Globex Telecom and its associates agreed to pay \$2.1 million to settle the FTC lawsuit, and Globex Telecom's former CEO and President was banned from telemarketing to the U.S. and was subject to a permanent court order.⁷ Similarly, in *FTC v. Alcazar Networks, Inc.*, the FTC alleged that Alcazar Networks, Inc. and its founder and sole owner assisted and facilitated telemarketers responsible for tens of millions of illegal telemarketing calls, including robocalls and spoofed calls that displayed "911" as the caller ID. *See FTC v. Alcazar Networks Inc., et al.*, No. 6:20-cv-2200 (M.D. Fla. Dec. 3, 2020).⁸ As part of their settlement with the FTC in January 2021, the defendants agreed to a permanent injunction that prohibits similar misconduct in the future and requires them to screen and monitor their customers, as well as imposing a monetary penalty.⁹

The FTC has business educational materials that can assist you in complying with the TSR. *See* <https://www.ftc.gov/tips-advice/business-center/guidance/complying-telemarketing-sales-rule>.

In addition to FTC regulations and the FTC's actions against providers of VoIP services, you should also be aware that the United States Department of Justice (DOJ), state attorneys general, and other agencies have brought civil actions against VoIP companies and their owners. In two cases, DOJ alleged that the defendants were committing and conspiring to commit wire fraud by knowingly transmitting robocalls that impersonated federal government agencies.¹⁰ In August 2020, a federal district court entered a permanent court order barring the defendants from conveying telephone calls into the U.S. telephone system.¹¹ State cases have had similar impacts.¹²

⁶ A copy of the FTC's Amended Complaint is attached as Attachment C.

⁷ *See* <https://www.ftc.gov/news-events/press-releases/2020/09/globex-telecom-associates-will-pay-21-million-settling-ftcs-first>.

⁸ A copy of the FTC's Complaint is attached as Attachment D.

⁹ *See* <https://www.ftc.gov/news-events/press-releases/2020/12/ftc-takes-action-against-second-voip-service-provider>.


¹⁰ *See* <https://www.justice.gov/opa/pr/department-justice-files-actions-stop-telecom-carriers-who-facilitated-hundreds-millions>.

¹¹ *See* <https://www.justice.gov/opa/pr/district-court-enters-permanent-injunction-shutting-down-telecom-carriers-who-facilitated>.

¹² For example, the Vermont and Michigan Attorneys General have brought successful actions against VoIP providers who route scam robocall traffic. *See*

Within three business days, please send a message to FTC attorney Fil Maria de Banate, via electronic mail at fdebanate@ftc.gov, certifying that One Eye LLC has ceased engaging in the activities described above that may subject it to liability under the TSR or the FTC Act. Please direct any inquiries regarding this letter to Mr. de Banate by email or by telephone at 216.263.3413.

Sincerely,



Jon Miller Steiger
Director

Enclosures:

Attachment A (Chart of illegal robocalls)

Attachment B (TSR)

Attachment C (*Educare* Amended Complaint)

Attachment D (*Alcazar* Complaint)

<https://ago.vermont.gov/blog/2021/04/28/attorney-general-donovan-announces-settlement-with-scam-robocall-carrier/>;
https://www.michigan.gov/documents/ag/Assurance_of_Voluntary_Compliance_-_All_Access_Telecom_FINAL_9-11-20_702047_7.pdf, and,
<https://www.michigan.gov/ag/0,4534,7-359--536108--s,00.html>.

ATTACHMENT A

Date of ITG Notification	Date of Call	Caller ID	Robocall Campaign Identifier	Link to Robocall Recording	Potential Violation
7/18/2022	7/17/2022	7862461846	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/959879	16 C.F.R. § 310.4(b)(1)(v)
7/18/2022	7/17/2022	8174204528	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/959875	16 C.F.R. § 310.4(b)(1)(v)
7/6/2022	7/1/2022	8436549533	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/947231	16 C.F.R. § 310.4(b)(1)(v)
6/29/2022	6/27/2022	9107262747	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/936704	16 C.F.R. § 310.4(b)(1)(v)
6/29/2022	6/27/2022	8438730361	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/936702	16 C.F.R. § 310.4(b)(1)(v)
6/27/2022	6/26/2022	9195688952	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/933376	16 C.F.R. § 310.4(b)(1)(v)
6/24/2022	6/16/2022	2133812823	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/attachments/929951	16 C.F.R. § 310.4(b)(1)(v)
6/23/2022	6/22/2022	7329974367	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/927215	16 C.F.R. § 310.4(b)(1)(v)
6/23/2022	6/22/2022	6605823562	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/927213	16 C.F.R. § 310.4(b)(1)(v)
6/23/2022	6/21/2022	2074875604	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/927211	16 C.F.R. § 310.4(b)(1)(v)
6/22/2022	6/21/2022	2396429256	Legal-Consequences	https://portal.tracebacks.org/api/public/attachments/926755	16 C.F.R. § 310.4(b)(1)(v)
6/17/2022	6/14/2022	7575561774	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/917096	16 C.F.R. § 310.4(b)(1)(v)
6/17/2022	6/15/2022	3155248461	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/917076	16 C.F.R. § 310.4(b)(1)(v)
6/16/2022	6/14/2022	9407351527	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/917091	16 C.F.R. § 310.4(b)(1)(v)
5/20/2022	5/18/2022	2178240230	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/864704	16 C.F.R. § 310.4(b)(1)(v)

5/20/2022	5/18/2022	2178936363	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/864700	16 C.F.R. § 310.4(b)(1)(v)
5/20/2022	5/17/2022	2154818770	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/864696	16 C.F.R. § 310.4(b)(1)(v)
5/16/2022	5/9/2022	6092683121	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/848914	16 C.F.R. § 310.4(b)(1)(v)
5/16/2022	5/9/2022	2488510928	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/848900	16 C.F.R. § 310.4(b)(1)(v)
4/26/2022	4/25/2022	3096947221	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/823641	16 C.F.R. § 310.4(b)(1)(v)
4/22/2022	4/20/2022	4042895109	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/819752	16 C.F.R. § 310.4(b)(1)(v)
4/22/2022	4/20/2022	3374392190	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/819751	16 C.F.R. § 310.4(b)(1)(v)
4/22/2022	4/20/2022	9037811845	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/819750	16 C.F.R. § 310.4(b)(1)(v)
4/4/2022	3/29/2022	3012080378	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/792353	16 C.F.R. § 310.4(b)(1)(v)
4/1/2022	3/30/2022	2073648869	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/792366	16 C.F.R. § 310.4(b)(1)(v)
3/8/2022	3/4/2022	7272643135	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/739597	16 C.F.R. § 310.4(b)(1)(v)
3/8/2022	3/4/2022	6154134637	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/739593	16 C.F.R. § 310.4(b)(1)(v)
3/8/2022	3/4/2022	4234810426	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/739591	16 C.F.R. § 310.4(b)(1)(v)
2/22/2022	2/18/2022	3322305965	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/707388	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2097572290	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668392	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2232999169	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668391	16 C.F.R. § 310.4(b)(1)(v)

2/4/2022	2/1/2022	9088444198	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668386	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	4062158143	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668384	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2172831341	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668383	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2232999147	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668378	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	7197155182	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668377	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2626378597	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668376	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	1/31/2022	2626971387	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668375	16 C.F.R. § 310.4(b)(1)(v)
2/2/2022	1/29/2022	2764450519	Amazon-SuspiciousCharge	https://portal.tracebacks.org/api/public/attachments/660873	16 C.F.R. § 310.4(b)(1)(v)
2/1/2022	1/29/2022	2678330484	Amazon-SuspiciousCharge	https://portal.tracebacks.org/api/public/attachments/660875	16 C.F.R. § 310.4(b)(1)(v)
1/31/2022	1/29/2022	3093063307	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/658486	16 C.F.R. § 310.4(b)(1)(v)
1/31/2022	1/29/2022	4698131592	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/658474	16 C.F.R. § 310.4(b)(1)(v)
1/31/2022	1/29/2022	3312404139	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/658461	16 C.F.R. § 310.4(b)(1)(v)
1/31/2022	1/29/2022	4435085738	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/658456	16 C.F.R. § 310.4(b)(1)(v)
1/27/2022	1/26/2022	4707809083	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/651838	16 C.F.R. § 310.4(b)(1)(v)
1/27/2022	1/25/2022	3866039964	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/651816	16 C.F.R. § 310.4(b)(1)(v)
1/14/2022	1/13/2022	3312489933	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/635470	16 C.F.R. § 310.4(b)(1)(v)

1/10/2022	1/4/2022	3219889568	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/624207	16 C.F.R. § 310.4(b)(1)(v)
12/13/2021	12/9/2021	4702967990	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/591033	16 C.F.R. § 310.4(b)(1)(v)
11/19/2021	11/16/2021	2402190989	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/565733	16 C.F.R. § 310.4(b)(1)(v)