

AssertID, Inc.
Burlingame, CA 94010
www.assertid.com

October 18, 2013

By Electronic Delivery

Mr. Donald S. Clark
Secretary of Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Imperium, LLC, Application for Approval of Parental Verification Method Under COPPA Rule

Dear Mr. Clark,

AssertID welcomes this opportunity to comment on the Imperium, LLC application for approval of a new verifiable parental consent method under the COPPA Rule.

We have two objections to approval of the Imperium ChildGuardOnline™ service as an approved VPC method under the COPPA Rule. First, we see no evidence that the service “*meets the rule’s requirement that it be reasonably calculated to ensure that the person providing the consent is actually the child’s parent.*”. Second, we see no evidence of a new method of verification.

The method employed to verify the parent’s identity is standard issue government ID verification, augmented with knowledge-based questions. Absent is any evidence of verification of the parent-child relationship. The only link between the child and the parent is that implied by what is presumed to be the parent’s email address - there is no verification that this is in fact true.

The shortcomings of this “implied” link to the parent are well known and have been the basis for objections to other verification methods. Although this weak implied link has been overlooked in the past, we feel that any new MPV methods should be held to the requirement as specified in Part 312.5(b)(1). In the case of the Imperium service, the request notification email will be delivered to a person (not necessarily the parent) and Imperium’s process will verify (by government ID) that this person is an adult and that they are whoever they claim to be. What is lacking is verification that they are the parent of the child for whom consent is being requested. For this reason we feel Imperium’s ChildGuardOnline™ service fails to meet the requirement of Part 312.5(b)(1) of the COPPA Rule.

As to the question of whether this service “poses a risk to consumer’s information” is difficult to ascertain given the limited information provided in the application.

Sincerely,

Keith Dennis
President, AssertID, Inc.