



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

March 10, 2014

Michael Bacon
State of Washington

Re: In the Matter of Aaron's, Inc., File No. 122 3264

Dear Mr. Bacon:

Thank you for your comment regarding the Federal Trade Commission's consent agreement in the above-entitled proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment urges the Commission to seek stronger penalties against Aaron's, Inc., including a monetary fine. You also ask whether the Commission can determine whether the laptop you rented from an Aaron's store was used to take photos of your minor son, for whom you leased the computer several years ago. If so, you ask whether that practice violates criminal laws and what government agency you should contact to pursue criminal charges.

The Commission lacks authority to enforce criminal statutes or obtain monetary penalties for the unlawful conduct alleged in this proceeding. You may wish to contact the Washington State Office of the Attorney General, which does have criminal law enforcement authority. Further, should Aaron's violate any term of the Commission's final order, it could be liable for penalties of up to \$16,000 per violation (pursuant to Section 5(l) of the FTC Act). The Commission also believes that the proposed order will substantially protect consumers and effectively deter future privacy violations by Aaron's and its network of franchised rent-to-own stores. The order, which is effective for 20 years, bans Aaron's from using monitoring technology on computers rented to consumers. In addition, it generally prohibits Aaron's from using geographical tracking technology to gather information from any rented consumer product without obtaining affirmative express consent from the consumer at the time of rental and providing clear and prominent notice to computer users immediately prior to each time tracking technology is activated.

The Commission understands that consumers may be concerned about whether an Aaron's franchisee used monitoring technology to secretly gather information about themselves or other computer users. The proposed order provides assurances that Aaron's and its franchisees will destroy previously collected webcam photos and other data if collected in a manner that would violate the terms of the proposed order. If you have questions about whether

PC Rental Agent was installed on a computer you rented from an Aaron's store, you may contact Aaron's at 1-877-496-1606 for more information.

Accordingly, the Commission believes that the proposed consent order will provide strong protections for consumers' privacy and has determined that the public interest would best be served by issuing the Decision and Order in final form without any modifications. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. It helps the Commission's analysis to hear from a variety of sources in its work. Thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary