



Office of the Secretary

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

March 29, 2016

Michael Hallock  
State of California

*Re: In the Matter of Oracle Corporation, File No. 132 3115*

Dear Mr. Hallock:

Thank you for your comment regarding the Federal Trade Commission's ("Commission" or "FTC") 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 indicates that you are concerned that Oracle's latest update to the Java Platform, Standard Edition ("Java SE") software, at the time you submitted your comment, removed all older iterations of Java SE without warning.

The complaint in this matter alleges that Oracle violated Section 5 of the FTC Act by misrepresenting to consumers the security provided by updates to Oracle's Java SE software. Among other things, the proposed consent agreement requires Oracle to notify consumers during the Java SE update process if they have certain older iterations of the software on their computers, notify them of the risk of having the older software, and give them instructions on how to effectively uninstall it. In addition, for three years, Oracle must provide an uninstall tool; a page dedicated to explaining how consumers can remove certain older iterations of the software; and free support through an electronic form to help consumers with their update and/or uninstall issues.

With respect to your concern about the latest update to Java SE not disclosing older iterations of Java SE present on your computer, the purpose of these order provisions is to provide consumers with notice of security risks associated with having older iterations of Java SE installed on their computers. If older iterations of Java SE are present on your computer, then Oracle is required to provide a disclosure. If such older iterations of Java SE are not installed, then such notice is not required. Should you continue experiencing problems with Java SE's notices, the Commission advises that you contact Oracle's customer support. Further, you should file a complaint through the Commission's Consumer Response Center at (877) 282-4357 or online at [www.ftc.gov/complaint](http://www.ftc.gov/complaint) if you believe Oracle has violated the consent agreement.

In light of these considerations, the Commission has determined that the public interest would be best served by issuing the Decision and Order in the above-titled proceeding 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>. Thank you again for your comment.

By direction of the Commission.

Donald S. Clark  
Secretary



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March 29, 2016

Walter Houser  
State of Maryland

*Re: In the Matter of Oracle Corporation, File No. 132 3115*

Dear Mr. Houser:

Thank you for your comment regarding the Federal Trade Commission's ("Commission" or "FTC") 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 conveys support for the FTC's enforcement action in this matter, while indicating your concerns that the proposed order lacks monetary penalties, and that Oracle's uninstall tool for the Java Platform, Standard Edition ("Java SE"), at the time you submitted your comment, was not working properly. Specifically, you indicated that when you updated Java SE to the latest iteration, Java SE iteration 6 remained on your computer.

The complaint in this matter alleges that Oracle violated Section 5 of the FTC Act by misrepresenting to consumers the security provided by updates to Oracle's Java SE software. The proposed consent agreement prohibits Oracle from misrepresenting: (1) the privacy or security of any software offered by Oracle directly to consumers to run programs on their computers or applications within a browser, including the effect on privacy or security of any installation or update to such software; and (2) how to uninstall older iterations of any such software. The proposed consent agreement also requires Oracle to notify consumers during the Java SE update process if they have certain older iterations of the software on their computer, notify them of the risk of having the older software, and give them instructions on how to effectively uninstall it. The proposed consent agreement requires Oracle to provide broad notice to consumers via social media and Oracle's website about the settlement. In addition, for three years, Oracle must provide an uninstall tool; a page dedicated to explaining how consumers can remove certain older iterations of the software; and free support through an electronic form to help consumers with their update and/or uninstall issues. Finally, the proposed consent agreement contains standard recordkeeping and compliance monitoring provisions.

With respect to your concern about the lack of monetary penalties, the Commission does not have authority to obtain civil penalties for an initial violation under Section 5 of the FTC Act. However, once the order becomes final, Oracle could be liable for civil penalties of up to

\$16,000 per violation per day (as provided by Section 5(l) of the FTC Act, 45 U.S.C. § 45(l), as adjusted by 16 C.F.R. § 1.98(c)). These civil penalties will help incentivize compliance with the order. Accordingly, we believe the order provisions, along with the risk of substantial civil penalties for violating the order, appropriately address the conduct at issue. Should you experience problems with Oracle's uninstall tool after the date that this proposed order becomes final, the Commission advises that you contact Oracle's customer support. Further, you should file a complaint through the Commission's Consumer Response Center at (877) 282-4357 or online at [www.ftc.gov/complaint](http://www.ftc.gov/complaint) if you believe Oracle has violated the consent agreement.

In light of these considerations, the Commission has determined that the public interest would be best served by issuing the Decision and Order in the above-titled proceeding 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>. Thank you again for your comment.

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Donald S. Clark  
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March 29, 2016

Xontippie Whittington  
State of Alaska

*Re: In the Matter of Oracle Corporation, File No. 132 3115*

Dear Xontippie Whittington:

Thank you for your comment regarding the Federal Trade Commission's ("Commission" or "FTC") 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 indicates that you experienced problems with your personal computer that had Oracle's Java Platform, Standard Edition ("Java SE") software installed. We understand your frustration and share your concern about the security of software installed on consumers' personal computers.

The complaint in this matter alleges that Oracle violated Section 5 of the FTC Act by misrepresenting to consumers the security provided by updates to Oracle's Java SE software. Among other things, the proposed consent agreement prohibits Oracle from misrepresenting: (1) the privacy or security of any software offered by Oracle directly to consumers to run programs on their computers or applications within a browser, including the effect on privacy or security of any installation or update to such software; and (2) how to uninstall older iterations of any such software. The proposed consent agreement also requires Oracle to provide broad notice to consumers via social media and Oracle's website about the settlement. In addition, for three years, Oracle must provide an uninstall tool; a page dedicated to explaining how consumers can remove certain older iterations of the software; and free support through an electronic form to help consumers with their update and/or uninstall issues.

Should you experience problems with Java SE, the Commission advises that you contact Oracle's customer support. Further, you should file a complaint through the Commission's Consumer Response Center at (877) 282-4357 or online at [www.ftc.gov/complaint](http://www.ftc.gov/complaint) if you believe Oracle has violated the consent agreement.

In light of these considerations, the Commission has determined that the public interest would be best served by issuing the Decision and Order in the above-titled proceeding 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>. Thank you again for your comment.

By direction of the Commission.

Donald S. Clark  
Secretary