



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

August 30, 2012

Ms. Audra Rae
State of South Carolina

Re: In the Matter of Myspace LLC, File No. 1023058, Docket No. C-4369

Dear Ms. Rae:

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.

In your comment, you assert that the length of the proposed order – twenty (20) years – is extensive. You also state that Myspace users should be “equally responsible for camouflaging their own personal information.”

The Commission is committed to safeguarding consumer privacy and security and believes that the proposed order provides strong protections for consumers. The proposed settlement is intended to address the misrepresentations alleged in the Commission's complaint. The proposed order will ensure that Myspace not only builds but maintains over time strong privacy protections for all its products and services. At the same time, the order allows Myspace to innovate and is narrowly tailored to ensure that Myspace does not again engage in the conduct alleged in the complaint. Moreover, the duration of the proposed order is identical to orders in other similar Commission settlements with social networking sites.¹ Although neither the Commission nor industry can foresee how long any particular social network will operate, a 20-year order ensures a company's commitment to protect consumer privacy and security for many years ahead.

You note further that Myspace users are responsible for camouflaging their own information. However, the complaint alleges that Myspace misled users about what information the company provided to third-party advertisers. Consumers need accurate information to be able to make informed decisions about the consequences of sharing their information on Myspace. The order helps ensure that Myspace will not misrepresent the privacy and confidentiality of consumer information in the future.

¹ See *In re Google Inc.*, FTC Docket No. C-4336 (Oct. 13, 2011) (consent order), available at <http://www.ftc.gov/os/caselist/1023136/110330googlebuzzcompt.pdf>; *In the Matter of Facebook, Inc.*, FTC Docket No. C-4365 (Aug. 10, 2012) (consent order), available at <http://www.ftc.gov/os/caselist/0923184/111129facebookagree.pdf>.

In light of these considerations, the Commission 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, and it thanks you again for your comment.

By direction of the Commission, Commissioner Ohlhausen not participating.

Donald S. Clark
Secretary